

## HOUSE OF REPRESENTATIVES—Friday, September 30, 1994

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With grateful appreciation, O God, and with earnest thanksgiving, we remember those people to whom special responsibility has been given and who occupy offices of great trust. For those in authority we offer this prayer of petition that they will be good stewards of the resources of our land and do those things that bring justice and fairness to all people. May Your spirit, O God, that renews and gives strength to every person, be with the leaders of our country and grant them the vision and courage to do justice, to love mercy, and ever walk humbly with You. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. DeLAURO. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. DeLAURO Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 212, nays 136, not voting 86, as follows:

[Roll No. 453]

YEAS—212

Abercrombie	Borski	Costello
Ackerman	Boucher	Coyne
Andrews (ME)	Brooks	Danner
Andrews (NJ)	Brown (OH)	Darden
Andrews (TX)	Byrne	Deal
Bacchus (FL)	Cantwell	DeLauro
Baessler	Cardin	Dellums
Barcia	Carr	Deutsch
Barclay	Chapman	Dicks
Barlow	Clayton	Dixon
Barrett (WI)	Clement	Dooley
Bateman	Collins (IL)	Durbin
Becerra	Combest	Edwards (CA)
Bevill	Condit	Engel
Bilbray	Conyers	English
Bishop	Cooper	Eshoo
Bonior	Coppersmith	Evans

Everett	Lambert	Poshard
Farr	Lancaster	Price (NC)
Fazio	Lantos	Rahall
Filner	LaRocco	Rangel
Fingerhut	Laughlin	Reed
Fish	Lehman	Reynolds
Flake	Levin	Richardson
Foglietta	Lewis (GA)	Rose
Ford (TN)	Livingston	Rostenkowski
Frank (MA)	Long	Rowland
Frost	Lowey	Roybal-Allard
Furse	Maloney	Rush
Gejdenson	Mann	Sabo
Geren	Margolies-	Sanders
Gillmor	Mezvinsky	Sangmeister
Gilman	Markey	Sarpallus
Glickman	Matsui	Sawyer
Gonzalez	Mazzoli	Schenk
Gordon	McCloskey	Schumer
Green	McDermott	Scott
Greenwood	McHale	Serrano
Gutierrez	McKinney	Shepherd
Hall (OH)	Meehan	Sisisky
Hamburg	Meek	Skaggs
Hamilton	Mfume	Skelton
Harman	Miller (CA)	Slaughter
Hastings	Mineta	Smith (IA)
Hefner	Minge	Smith (NJ)
Hilliard	Mink	Stark
Hochbrueckner	Moakley	Stokes
Holden	Mollohan	Studds
Houghton	Montgomery	Stupak
Hoyer	Murtha	Swett
Hughes	Myers	Swift
Inglis	Neal (MA)	Tanner
Inlee	Oberstar	Tejeda
Jefferson	Obey	Thornton
Johnson (GA)	Oliver	Thurman
Johnson (SD)	Ortiz	Torres
Johnson, E. B.	Orton	Torricelli
Johnson	Owens	Trafficant
Kanjorski	Pallone	Unsoeld
Kaptur	Parker	Valentine
Kasich	Pastor	Velazquez
Kennedy	Payne (NJ)	Vento
Kennelly	Payne (VA)	Visclosky
Kildee	Pelosi	Volkmmer
Kingston	Penney	Watt
Klecza	Peterson (FL)	Waxman
Klein	Peterson (MN)	Wilson
Klink	Pickett	Wise
Kopetski	Pickle	Woolsey
Kreidler	Pombo	Wyden
LaFalce	Pomeroy	Yates

NAYS—136

Allard	Diaz-Balart	Hyde
Archer	Dickey	Jacobs
Armey	Doolittle	Johnson (CT)
Bachus (AL)	Dreier	Johnson, Sam
Ballenger	Duncan	Kim
Barrett (NE)	Dunn	Klug
Bartlett	Ehlers	Knollenberg
Barton	Emerson	Kolbe
Bentley	Fawell	Kyl
Bereuter	Fields (TX)	Lazio
Bilirakis	Fowler	Leach
Bliley	Franks (CT)	Levy
Blute	Franks (NJ)	Lewis (CA)
Boehlert	Gekas	Lewis (FL)
Boehner	Gilchrest	Lewis (KY)
Bonilla	Goodlatte	Lightfoot
Bunning	Goodling	Linder
Burton	Goss	Lucas
Buyer	Gunderson	Machtley
Camp	Hancock	Manzullo
Canady	Hansen	McCandless
Castle	Hastert	McCollum
Clay	Hefley	McHugh
Clinger	Herger	McInnis
Coble	Hobson	McKeon
Cox	Hoekstra	Meyers
Crapo	Hoke	Mica
Cunningham	Horn	Michel

Miller (FL)	Rohrabacher	Stenholm
Molinari	Ros-Lehtinen	Stump
Moorhead	Roukema	Talent
Morella	Royce	Taylor (MS)
Murphy	Schaefer	Thomas (CA)
Nussle	Schiff	Thomas (WY)
Oxley	Schroeder	Torkildsen
Packard	Sensenbrenner	Upton
Paxon	Shaw	Vucanovich
Petri	Shays	Walker
Portman	Shuster	Walsh
Pryce (OH)	Skeen	Weldon
Quinn	Smith (MI)	Wolf
Ramstad	Smith (TX)	Young (FL)
Ravenel	Snowe	Zeliff
Regula	Solomon	Zimmer
Roberts	Spence	
Rogers	Stearns	

NOT VOTING—86

Applegate	Gallely	Nadler
Baker (CA)	Gallo	Neal (NC)
Baker (LA)	Gephardt	Porter
Beilenson	Gibbons	Quillen
Berman	Gingrich	Ridge
Blackwell	Grams	Roemer
Brewster	Grandy	Roth
Browder	Hall (TX)	Santorum
Brown (CA)	Hayes	Saxton
Brown (FL)	Hinchey	Sharp
Bryant	Hoagland	Slattery
Callahan	Huffington	Smith (OR)
Calvert	Hunter	Spratt
Clyburn	Hutchinson	Strickland
Coleman	Hutto	Sundquist
Collins (GA)	Inhofe	Synar
Collins (MI)	Istook	Tauzin
Cramer	King	Taylor (NC)
Crane	Lipinski	Thompson
de la Garza	Lloyd	Towns
DeFazio	Manton	Tucker
DeLay	Martinez	Washington
Derrick	McCrery	Waters
Dingell	McCurdy	Wheat
Dornan	McDade	Whitten
Edwards (TX)	McMillan	Williams
Ewing	McNulty	Wynn
Fields (LA)	Menendez	Young (AK)
Ford (MI)	Moran	

□ 1023

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. MONTGOMERY). Will the gentleman from Georgia [Mr. LINDER] please lead the House in the Pledge of Allegiance.

Mr. LINDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces he will receive fifteen 1-minutes on each side.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

# WHEN THE AMERICAN PUBLIC JOINS IN, GOP BALL GAME WILL BECOME FULL CONTACT SPORT

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, the Washington Post today reminds me of the similarity of elections and football. In football, some people keep wanting to try to run the same play.

Take supply-side economics. Remember that one? Cut taxes for the wealthy, increase spending, and promise to balance the budget. The result, a political touchdown, but everybody in the stands was thrown for a \$3.5 trillion loss.

Now that famous backfield is back: Michael Boxton, who quarterbacked us into the greatest recession we have had in decades, says he would sign on immediately. So does Dan Quayle. We remember him, one of the galloping horsemen. James Miller, who lugged the ball for Ronald Reagan right into a recession. They want to run the same play again.

This time, Mr. Speaker, the public will not be fooled by that flashy ball handling and contract signing, not when they find out that it means Social Security cuts, Medicare cuts, an exploding deficit, adding \$1 trillion more. That is when the public jumps into the ball game, and those who signed so proudly in Washington are going to find out what a full contact sport they are in.

## WHY THE UPROAR OVER THE CONTRACT WITH AMERICA?

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, this week the Republican contract with America was unveiled on the Capitol steps, and signed by more than 350 Republican incumbents and candidates from around the country. Apparently, from the speech we just heard and from what we have been hearing over the last few days, this has struck a raw nerve with the Democratic leadership and the liberal media.

The contract spells out exactly what a Republican majority will do on the first day of the 104th Congress, and what legislation it will bring to the floor in the first 100 days: a plan and a pledge. Why the uproar from our Democratic friends?

The uproar is because we have promised the American taxpayers that the public's House, the people's House, will actually vote on a number of issues that are very important to them: a balanced budget amendment, a line-item veto, welfare reform, tax reform, and a real crime bill.

The Democrats do not want to vote on these issues. These are issues impor-

tant to the American people. They should be debated, they should be amended, they should be voted on. Some will pass and some will not, but at least they should be discussed in the people's House.

## GOP URGED TO RELEASE THE SECRET LIST

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, on Tuesday of this week, Republican House Members and candidates from across the country stood on the steps of the Capitol to sign a contract with the Republican leadership. The feel-good contract proposes more tax cuts for the wealthy, increased defense spending, and a secret plan on how to pay for it all. But, that is not the only secret of the contract.

Now that this budget-buster has been widely panned for being a cynical, election-year gimmick, the Republican leadership is keeping the names of contract signers secret. The same party that led the fight to make the names of discharge petition signers public, now has its own secret list.

If the Republican leadership truly believes in open government, it is time to prove it. The American people have a right to know which candidates signed a contract to explode our deficit—a \$1 trillion explosion—which candidates signed a contract to cut Social Security and Medicare; which candidates signed a contract to bring back the star wars program. Release the secret list.

## DEMOCRATS' LACK OF IMAGINATION

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, last Tuesday the Republicans did indeed unveil a plan, in response to America's demand for change. Called the contract with America, it is a positive plan to end once and for all the same old, stale old, status quo in Washington.

What has been the Democrat response? The carping criticism of closed craniums that cannot imagine having a record they could run for instead of running from. They cannot imagine offering the opportunity to debate issues that are important to America, rather than special interests. They cannot imagine giving America a chance to shut down the Washington spending machine with a balanced budget amendment.

□ 1030

They cannot imagine putting aside personal responsibility, putting it back

into the Nation's life and pulling big government from it. They cannot imagine any of those because they go right on like a stake in the heart of the Clinton agenda, an agenda that seeks to insert the Federal Government into every nook and cranny of the American life, from health care to welfare. Democrats cannot imagine ending big government, big taxes, and big bureaucracy.

## THE NEW REPUBLICAN PARTY?

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, the Republican Party has had a bad week.

First, Republican candidates signed a bizarre, blood oath contract that abdicates their judgment and independence to the Republican leadership.

The contract is a combination of proven bad ideas from the past and feel-good, political snake oil which, thankfully, has fooled no one.

Next, after thumping their chests about cleaning up Washington, the first thing this new breed of Republican candidates do is go to the ultimate Washington insider, a fundraiser financed by the gun lobby, the tobacco lobby, and the insurance lobby.

Who are these Republican candidates kidding?

And yesterday, Republicans, led by their leadership, voted to allow lobbyists—paid, special interest lobbyists—to buy them rounds of golf, trips to the Virgin Islands, and meals at restaurants that you and I could never afford.

Mr. Speaker—golf games? Insider Washington fundraisers? Blind, meek obedience to the Republican leadership and their snake oil plan?

This is the new Republican party?

This is what the voters want in November?

Come on.

## WHAT THE CONTRACT WITH AMERICA OFFERS

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, during nearly all of my lifetime, the Democrat Party has completely dominated the House of Representatives—that is 40 consecutive years of one-party rule. And in recent years it has been American families and businesses who have paid the price for the Democrats' tax increases, ethical scandals, budget deficits, and tired old government-knows-best nannyism.

However, simply opposing the President and the Democrats in Congress is not enough. So this week, over 350 Republican congressional candidates have



signed a solemn contract with America that lays out in detail our vision for America and the specific steps we are going to take to make our Nation an even better place to live, work, and to raise our families.

Mr. Speaker, all Americans should take a look at what our contract offers.

#### THE GINGRICH MANIFESTO

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, we now have seen the Gingrich manifesto—the contract. This is an incredible proposal to redistribute wealth—up. It stakes out new depths for cynicism and political pathology by promising to deceive the American people. What a thing to behold. The gentleman from Georgia [Mr. GINGRICH] rallying his troops to restore America's wealth to the wealthy. It was a little scary to watch the shock troops of the Gingrich revolution marching up in lockstep to sign the manifesto. Slightly Orwellian to see so many fine, young, earnest Republican candidates give up so freely their individuality and their creativity for the chilling uniformity of Newt-speak.

#### CONTRACT WITH AMERICA

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, is it not amazing that the Democrats have spent the entire past week talking about the Republican contract with America. It seems they do not have any issues of their own to boast about, so the only thing they can do right now is to attack Republicans.

President Clinton made his own verbal promises about what he would do in the first 100 days of his administration—why are the Democrats not talking about Clinton's promises? Because he broke his promises. There was no health care bill in 100 days—there was no middle class tax cut.

On the other hand, Republicans have signed a contract with America. Republicans have listened to the people. Republicans are restoring the bond of trust between the people and their elected representatives.

It is too bad the only thing the Democrats can do right now is lift their voices to try to cover up their own party's failures.

#### RESURRECTION OF VODOO ECONOMICS

(Mr. VISCLOSKY asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, this week Republican congressional leaders summoned their candidates to Washington to sign a contract to raise voodoo economics from the dead.

Instead of moving forward the Republican contract will turn the clock back to the days of tax cuts for the rich, outrageous star wars defense spending, and exploding deficits.

The numbers on the Republican have been crunched. The Republican plan will blow a \$1 trillion hole in the budget and ask people on Social Security and Medicare to pick up the tab.

It is clear that the Republican contract will mortgage our future and threaten the middle class.

What is not clear is just who signed the contract. We know what it says. We know what it will do. But we do not know who signed it.

As long as the Republican leadership wants to take us back to the past the American people have a right to know the names of everyone who wants to take them for a ride.

I ask the Republican leader to release the names. We are waiting.

#### TRIBUTE TO PATSY PYE, RECIPIENT OF NATIONAL DISTINGUISHED PRINCIPAL AWARD

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, I rise today to salute my constituent, Mrs. Patsy Pye of Summerville, SC, who is the 1994 recipient of the National Distinguished Principal Award from the National Association of Elementary School Principals and the U.S. Department of Education. Mrs. Pye is a 1969 graduate of Charleston Southern University. After 6 years of classroom teaching she became an assistant elementary school principal. Since 1987 she has served as principal of Oakbrook Elementary School in Dorchester County which just last year received the "Palmetto's Finest" Award, was also named one of Redbook magazine's "America's Best Schools," and now will be receiving the "Blue Ribbon" Award. Naturally it is with a sense of pride that I recognize this exceptional leader and educator, Mrs. Patsy Pye.

#### READ THE FINE PRINT IN REPUBLICANS' CONTRACT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, the Republicans have presented the American people with what they are calling a contract. However, this contract is more like a bill be-

cause it costs at least \$800 billion to fulfill the promises they make. Yet they do not say which programs they will cut to achieve these needed savings. The Republicans did not strike a nerve, they slashed their wrists.

I urge my colleagues to read the fine print in this contract and discover what this contract will really mean for America. It will cut Social Security and Medicare. In order to make that cut, they will have to drastically cut Medicare and Social Security. This contract means that senior citizens will no longer be receiving their health benefits under Medicare or their Social Security checks. Just this year, Congress voted on a balanced budget amendment. The reason it did not pass is they would not exempt Social Security. Yet we are going to get it again and they are going to say, "Well, we can't balance the budget without cutting your cost of living or Social Security."

For the first time, the people are finally realizing that they are not going to lose their benefits. We are not going to balance the Federal budget on the backs of senior citizens for their 30-second TV spot.

#### BRING THE TROOPS HOME

(Mr. MANZULLO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANZULLO. Mr. Speaker, we have heard a lot of talk this morning about a contract. Our President has a contract with the United Nations but not with the U.S. Congress. Pursuant to the terms of that contract, he has brought into play thousands of American troops that are now in Haiti being subjected to the rioting that we see live from Port-au-Prince, all for the purpose of installing the democratic leader, the one in whose biography he praises his good friend in memory Che Guevara. U.S. troops to put a man who loves Che Guevara into power? No way. Let us bring our American troops home as soon as possible.

□ 1040

#### REPUBLICANS REFUSE TO DISCLOSE NAMES OF CONTRACT SIGNERS

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, this week the Republican Members and candidates held a press conference to sign a contract with the Republican leadership. But, guess what, Mr. Speaker, they will not disclose the names of the people who signed it.

Mr. Speaker, we should not be surprised that Congressman GINGRICH will

not tell us who signed the contract; Congressman GINGRICH will not even disclose the names of the people who pump millions of dollars into his very political machine.

The American people deserve to know who wants to cut programs for senior citizens. They deserve to know who endorses deep voo-doo economics and they should know which candidates have already pledged their souls to the Republican leadership before even one vote has been cast.

#### WHY DO DEMOCRATS DISLIKE THE CONTRACT WITH AMERICA?

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, I was thinking about it this morning as I was running on The Mall, what, what is it that the critics of our contract with America, what it is actually that they do not like?

Maybe it is the balanced budget part that says that we as a Congress are going to have to balance our books the same way that we balance our books as persons, as individuals, that companies have to balance books, that States and municipalities have to, maybe that is the part they do not like. No, they probably do not like that.

It is probably the term limit, that is the part they do not like, the part where we are going to vote on terms limit. I can understand that because let us face it, their own Speaker has sued his own constituents to say that we are not going to have term limits. So perhaps that is it, maybe that is the part they do not like.

Let me tell them something I do not like. Maybe this is why they do not like it. It does not have something that addresses campaign finance reform, and I would like to see some real campaign finance reform in our contract with America. It does not have that.

But now what the good news is, is that is all under an open rule. That means that I can represent the people of northeastern Ohio, just the same way as the people of Chicago, or the people of Los Angeles, or the people of northern Washington can be represented as well.

#### TODAY ENDS FEDERAL FUNDING FOR EDUCATION

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, today we will either stand up for Federal funding for education or we will let special interest politics dictate once again. If those special interests prevail, Federal funding for education will expire on October 1.

If Members think the gun lobby can get mad, wait until they face parents, school administrators, and kids.

Mr. Speaker, the arguments against the bill are bogus. On school prayer we can vote for language that was endorsed and voted on by Senators KASSEBAUM and HELMS.

On sex education, there are strong restrictions including a prohibition on funds to purchase condoms, to distribute obscene materials, or to promote sex education unless the benefits of abstinence are also taught.

How much further can we go? Once again, it looks like some want politics to permeate education.

The conference report contains a broader prohibition on sex education than the original Helms amendment while retaining local control for implementing these decisions.

I, therefore, urge my colleagues to support H.R. 6 on final passage

#### LET'S FACE UP TO THE PROMISES BEFORE THE NATION GOES BROKE

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, today marks the end of the Federal Government's budget year. Since every responsible organization regularly reviews its achievements, we can ask "How well has the Federal Government performed this year?"

Many may not know that in 1994, for the 25th straight year, the Federal Government has failed to balance the budget. This year's deficit according to OMB is \$220 billion or \$880 for every man, woman, and child in the USA.

But this is only part of the story, the USA annual shareholders' report assembled by citizens for Budget Reform uncovers the astonishing fact that cost of Federal promises are increasing 10 times faster than the national debt. Analysis by Citizens for Budget Reform shows that each citizen's share of these Federal promises is \$145,000. The total for all Americans is \$36.2 trillion—yes trillion—with a "t", not a "b". Thus, the average family is responsible for \$400,000.

Taxpayers cannot afford these promises. How can we in Congress continue on this irresponsible course? The top 10 Federal promises each total \$1 trillion dollars or more. And the next 19 promises each exceed \$100 billion.

The 81 Federal welfare programs—over \$5 trillion—and nuclear waste cleanup—\$1 trillion—are indicative of the bill that we citizens have been committed to pay.

We need to examine these promises. Social Security and Medicare and civil service, military service, and veterans commitments should be kept, but let us carefully examine each of the others.

Existing Federal promises will require that by 2030 Federal taxes would be doubled, as spending moves from 21.9

percent of GDP this year to a projected 37.3 percent. The cataclysmic consequences of too many Federal promises should be every citizen's nightmare.

#### REPUBLICAN CONTRACT IS SAME OLD SONG AND DANCE

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, in the greatest miscalculation since Adolf Hitler made it clear he did not want a wake-up call on D-day, the House Republicans made an announcement this week that they were going to enter into a contract.

When we look at the specifics, it is warmed over Reagan-Bush economics, a trillion dollars more for the national debt, and they promise tax cuts for everybody. We have heard that song and dance before.

If we take a look at those who showed up to sign the contract, it is very interesting. Not one Senate Republican would walk across the Rotunda to sign this contract. When the House incumbent Republicans were to sign it, they did it in private. They did not want the public to see which Members of the House caucus on the Republican side refused to sign it. Now they come tell us they are for open government.

We would like to see a list of the names, which Republican candidates and which Republican incumbents were willing to sign on to this contract which has been universally scorned?

Name names, NEWT, and do it now.

#### RETURNING THE PEOPLE'S HOUSE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. WALKER. Reserving the right to object, and I shall not object, but in light of what we have been hearing in the last few minutes, the House needs to be informed that at 3 o'clock last night the list of everybody who signed the contract with America was in fact released.

Further reserving the right to object, it is in fact a list which is now available to the public, and we do believe it is not time to release Hillary's list of all of the people who participated in the health care conference.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOLLENBERG. Mr. Speaker, 3 days ago over 300 Republican Members and challengers signed an historic contract with America. This contract not



only changes the fundamental way Congress does business, but also the business that Congress does.

The contract creates an open system—where issues are debated on the floor of this Chamber, for all of America to see, instead of behind the closed doors and iron fists of committees and committee chairman.

The current committee system, run by the Democrat leadership, bottles up legislation and blocks an honest and public debate of the issues.

Why is it that the vast majority of Americans support term limits, yet this House refuses to debate the issue on the floor?

The Republican contract with America guarantees that bills such as term limits, a balanced budget amendment, and tax cuts for the middle class come to the floor of the house for an open, honest debate within 100 days.

Mr. Speaker, let us put an end to the old committee system and move forward with the country's business.

#### IT IS TIME FOR JAPAN TO LIVE UP TO PROMISES ON TRADE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Fact, Mr. Speaker, for 40 years Japan's trade practices have ripped us off.

Fact, Mr. Speaker, for 40 years Japan has promised to stop it.

Fact, Mr. Speaker, for 40 years the White House has threatened sanctions.

Now the truth is if America had one dollar for every promise Japan made on trade we would have no deficit, and the truth is if American workers had one job for every threat the White House made, we would have no unemployment.

Ladies and gentlemen, it is time for Congress to say it is high noon with Japan. What are we going to do, Congress? Are we going to send John Wayne with a 301 six-shooter this time, or are we going to continue to send Woody Allen, this time with a GATT agreement?

This is unbelievable. Congress is literally ripping off the American workers and is turning their back. Shame, Congress, shame.

#### REPUBLICAN CONTRACT WITH AMERICA ENGINEERS INTERESTING RESPONSES

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, to watch the Democrat response to our contract with America is—shall we say—interesting. We are told that the costs are too high and that Republicans were forced to sign onto an agenda driven by our leadership.

Both are wrong. But if I were faced with an agenda which had the overwhelming support of the American people I would be reluctant to take issue with the specifics too.

Which of our issues is wrong? Do the Democrats not believe we should vote on a real balanced budget amendment? I guess so since they have successfully prevented that vote from coming to the floor.

Do they not believe that the Nation needs legal reform? Do they think that a real crime bill is out of step with America? Do they believe that everything is just wonderful with our welfare system?

No—they cannot take issue with the substance so they make up charges.

The cost issue is, of course, made up of whole cloth. I never tire of seeing the Democrats repeat these outrageous statements with a straight face. It is a sight to behold. This proposal is only slightly different than the last Kasich budget which according to the CBO had more deficit reduction than the President's budget.

I ask "You remember the CBO; don't you?" That is the estimating office that the President said is the only reliable source for numbers. But that was when he was selling his agenda.

On the question of marching in lock step let me just observe that it was not NEWT GINGRICH marching Members to the well of the House yesterday to change their votes on the lobbying rule—it was the Democrat leadership. One by one—arm in arm—they were marched to the well to obey the leadership.

Who is fooling whom?

□ 1050

#### BRING THE TROOPS HOME NOW

(Mr. PARKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PARKER. Mr. Speaker, I have always been willing to give the sitting President much latitude in his role as Commander in Chief—even when I am in disagreement. However, I am gravely concerned about our Nation's escalation of military activity in Haiti—particularly in the absence of decisive leadership and in light of the inaccurate information that this administration provides.

Shortly after the American occupation of Haiti, Secretary of Defense William Perry advised Members of this body that less than the originally planned complement of 15,000 troops would be needed to secure Haiti and restore their democratically elected government. However, news reports today are confirming that over 20,000 American soldiers are now on Haitian soil. If there has been a change in circumstances that necessitates addi-

tional troops, President Clinton needs to advise this body, and the American people, of that change.

I am extremely concerned about mission creep in Haiti. Additional troops only add to my concerns. It is imperative that we get our young men and women out of harm's way.

If our efforts in Haiti are going to be multinational in scope, we should be replacing our troops daily with a true international force. Our troops do not belong in Haiti. On behalf of every American who is putting his or her life on the line, I ask that the President bring them home now.

#### REQUEST FOR ACCOUNTABILITY ON HAITI

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Mississippi who just made such, I think, a telling comment.

I stood in this well last evening and talked to reports received by phone yesterday of the chaos in Haiti; pictures say so much more than words can.

Today we see on the TV news this morning the chaos. It is a sense out of control. We did not see the whole picture, because they did not have the TV cameras everywhere. They were not up on the north coast where pro-Aristide people, the Lavalas, were killing their opponents. So in Port-au-Prince we have one group killing one side, and on the north coast we have the other group killing the other side.

This is called a civil war, and it is not our civil war, and this 12th day of occupation, the smartest thing we can do is start getting our troops out of harm's way right now.

The next thing we have to do, once we get the troops out of the way, is go through our constitutionally required exercise of congressional oversight of what this has been about. There is going to have to be accountability.

Why has the Clinton administration been less than candid and straightforward with the U.S. Congress on how we got there, what we are doing, and what is going on? That accountability will come.

#### FOURTH ANNIVERSARY OF WORLD SUMMIT FOR CHILDREN

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, today is the fourth anniversary of the World Summit for Children. On September 30, 1990, 71 national leaders and delegations from 88 other countries

met at the United Nations to outline a series of goals to be reached by the year 2000. These goals include: Reducing child and infant deaths by at least one third, maternal deaths by half, child malnutrition by half; and providing universal access to basic education, safe drinking water, and family planning services.

Four years later, millions of saved lives are the result. If the United States is to meet the commitment we made 4 years ago, however, we must safeguard and increase development aid targeted for child survival. By doing so, we will also ensure that when political upheavals occur, as we have witnessed in Somalia and Rwanda, the cost in human lives will be greatly reduced because of simple preventive health measures already implemented. I urge my congressional colleagues to honor our promise to the children of the world.

#### QUESTIONS RAISED ON ARISTIDE'S VIOLENT PAST AND TALBOTT'S TESTIMONY ON CAPUTO'S MEMOS

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, several crucial questions remain unanswered about the explosive situation in Haiti.

One, is President Aristide sufficiently fit for office to justify the risking of American soldiers' lives to force his return to power?

While it was one thing to broker a peaceful diplomatic return of a duly elected President, it is quite another to risk American lives to effectuate that return.

Knowing of the serious charges against Mr. Aristide regarding his support of violence, I asked him yesterday in a Foreign Affairs Committee meeting if he has ever supported violence in general, or necklacing in particular.

Necklacing is a barbaric practice of assassination where the victim is bound, his arms tied or hacked off and a gasoline-filled tire put around his neck and ignited. In Haiti, necklacing is called *Pere lebrun* (Father Lebrun), the name of a popular Haitian tire dealer.

President Aristide said, "I did not, am not and will never embrace necklacing."

Mr. Aristide's speeches and credible evidence suggest the opposite. For example, Mr. Aristide was ejected from the Salesian Order of the Catholic Church in 1988 for "incitement to hatred and violence \* \* \*"

In an address at the National Palace on September 27, 1991, President Aristide said about necklacing:

What a nice tool! What a nice instrument! What a nice device! It is a pretty one. It is

elegant, attractive, splendid, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. It is provided for by the Constitution, which bans macoutes from the political scene \* \* \*

President Aristide said yesterday that he saw the translation, and it was bad.

Maybe.

The bottom line remains, with American lives at risk, we absolutely need to know the truth.

Another pertinent question remains as to whether politics and the November elections had anything whatsoever to do with the United States invasion of Haiti and the timing of that operation.

Earlier this week at a Foreign Affairs hearing, I asked Deputy Secretary of State Strobe Talbott this question and exactly what U.N. Envoy to Haiti Dante Caputo meant in a confidential memo that represented the United States position on Haiti "as a test case for which the United States has to have found a solution before November?"

Mr. Caputo, a former Argentinean foreign minister, also wrote in a memo to U.N. Secretary General Boutros-Ghali on May 23, that "the Americans see in this type of action a chance to show, after the strong media criticism of the administration, the President's decisionmaking capability and firmness of leadership in international political matters," and pointed out that a U.S. armed deployment was "politically desirable" and that "the current opposition of public opinion to an armed invasion will change radically once it has taken place."

The credibility of these statements are of particular value when one recalls that it was Mr. Caputo who brokered the Governor's Island Agreement between General Cedras and President Aristide. Sadly, in protest of the United States invasion, Mr. Caputo resigned as U.N. Envoy to Haiti hours after the invasion.

Mr. Talbott, for his part, denied under oath before our committee on Tuesday, ever referring to November in those conversations or that politics had anything to do with the decision to invade Haiti.

But Americans have a right to know if the November elections—and Mr. Clinton's own political fortunes—had anything whatsoever to do with his decision to invade. Did Mr. Caputo dream all this up?

Were politics ever discussed in any way at the White House in relation to the invasion?

Mr. Talbott says no. His denial, however, raises more questions than it answers. And I strongly believe that he and other high-level Clinton administration leaders need to be questioned under oath to determine whether or not American lives have been put at risk for political reasons. For now, the

jury is out and Americans have a right to know the answer.

#### CONTRACT BELONGS IN RIPLEY'S BELIEVE IT OR NOT

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, Ripley's Believe It Or Not should be interested in this week's activities of the Republican Party. On Tuesday they joined together to sign a contract with their leadership proclaiming how they are going to change things in Washington. Before the ink had dried on their document calling for a balanced budget. They came to the House floor and voted for the Allard amendment which would have undone the reorganization of the USDA legislation to cut 7,500 Government jobs saving millions of dollars. Tuesday they sign a document they claim is a contract with Americans, yet yesterday they come to the floor of the House and fight to protect lobbyists representing foreign interests from having to disclose who they represent. Do you really think the American citizens want to protect those that lobby against American companies in favor of foreign interests, just so you can travel, eat and play for free. The only change the Republican contract will achieve is more for the fat cats at the expense of the middle class, senior citizens and students. This contract belongs in Ripley's Believe It Or Not.

#### WHY ARE OUR TROOPS IN HAITI?

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, why are our troops in Haiti?

You know, I was watching television this morning, and I saw all that rioting and civil disorder and looting. There is anarchy down there.

Why are our troops in Haiti? The President says it is to restore democracy, and yet U.N. Haiti Representative Dante Caputo said in a memo last May or June that this administration planned to send our troops down there before November for political purposes, to help bolster the President's image and his party's image so they could pick up seats in the November elections.

Now, as the gentleman from New Jersey [Mr. SMITH] said just a few moments ago, he questioned the Deputy Secretary of State about this who made these comments, and he said he did not say them.

Now, if he did say them, as Mr. Caputo said he did, then he is lying to the Congress, and if he is lying to the Congress, he should be summarily removed. Strobe Talbott should be fired or resign.



And if the President of the United States, and I hate to say this, but if the President of the United States can be proven that he put our troops in harm's way for political purposes this year, he should be impeached.

#### DO NOT RUSH GATT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, no trade agreement 22,000 pages long, and no trade bill 1,000 pages long, should be rammed up against the closing deadline hours of this session of Congress. I know a fastball when I see one.

Let me congratulate the gentleman from South Carolina from the other body. Yesterday he actually made an incredible request: He wants to read the 1,000-page draft bill called GATT before the other body votes on it. The House should do no less.

If this legislation is so essential, should we not give it as much time as we gave the California desert bill?

□ 1100

So I say to the President of our country, to the Finance Committee in the other body and the Ways and Means Committee in this body, I understand the rush, oh, yes, I understand it real well, but it is not right. We should not rush this bill through in the closing hours of this session. Let us do it next year when people have had a chance to vote on something that they have read.

#### MORE ON THE CONTRACT WITH AMERICA

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I join my Democrat, Republican, and Independent friends and colleagues in congratulating NEWT GINGRICH and the Republican Party for setting forth a specific plan and promises for when he becomes Speaker of the House. Instead of the usual 30-second attack Clinton ad which asserts that our opponents will go to heaven or hell depending on their voting record, Mr. GINGRICH and Republicans have crafted a specific contract. Yet many paranoid Democrats are already whining. They prefer the politics of half-truths over substance.

The contract which they have been whining about calls for votes on a balanced budget amendment, term limits, line item veto, cutting congressional staff by one-third and reforming welfare.

The Democrats prefer what we have now, even with control of the House, control of the Senate, control of the White House, we have a \$200 billion deficit, no middle-class tax cut, no health

care reform, foreign policy triumphs in Bosnia, North Korea, Haiti, and Somalia. If that is what they want, I say to the American people ask a Democrat Congressman for a copy of the contract and ask them to show it to you.

Mr. Speaker, the choice is clear.

#### SUPPORT PASSAGE OF CONFERENCE REPORT ON H.R. 6

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, today we have an education survival bill on our agenda. Let us not play politics with the schoolchildren of America. Let us all unite to support the largest constituency of the Congress: Teachers, students, and parents who are waiting for the school aid provided by the Improving America's Schools Act.

Mr. Speaker, one of the reasons for the unpopularity of Congress as an institution is the fact that we too often neglect this education constituency, our largest and our most worthy constituency.

On Monday, 3 days from now, these funds will stop flowing to all of our schools if we do not pass this bill today. Every school district in this Nation will remain funded at the same level as last year. The needs are great all over America, in all of our schools.

Let us not play politics; instead let us make a contract, let us all make a contract with the schoolchildren of America.

Vote "yes" for the Improving America's Schools Act and let us do the job today.

#### THE FIASCO IN HAITI

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, once again this administration has bungled the Haiti situation beyond belief.

First we failed to promptly enforce an international accord and stood by while their military murdered the opposition.

Then we imposed economic sanctions killing 60,000 manufacturing jobs that were feeding nearly a third of their population.

Now our troops stand by while the Aristide supporters murder the other side and loot, pillage, and rob the last shreds of remaining business.

Honestly in my wildest imagination, I did not believe that President Clinton could concoct a wilder scheme to totally destroy Haiti.

Now—we have annihilated the entire economy, put our troops in the middle of an unending civil conflict and put their whole country on a Clinton-style American welfare plan.

Now we are buying guns while they use grenades, knives, tires, and machetes.

I cannot wait for the next turn in this incredible U.S. taxpayer financed fiasco.

#### H.R. 6: MOST SWEEPING EDUCATIONAL IMPROVEMENT IN DECADES

(Mr. KLINK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLINK. Mr. Speaker, the vote on H.R. 6 is a vote on the future of education.

All the issues that you may hear about, all the motions to recommit, are red herrings. H.R. 6 represents the most sweeping educational improvement and reform legislation in decades. It is our best chance to increase Federal aid for elementary and secondary education.

Despite what you may hear, "constitutionally protected" school prayer is protected under H.R. 6. H.R. 6 also prohibits the use of Federal funds to promote or encourage any sexual practice.

But the real issue is funding for education. If we recommit H.R. 6 to conference, \$11 billion in education aid is in jeopardy. Federal education funding could be cut off to 13,000 school districts.

So ignore the red herrings. Support education and H.R. 6.

#### H.R. 6: WHAT DOES THE FORMULA DO FOR YOU IN YOUR DISTRICT IN THIRD, FOURTH, AND FIFTH YEARS?

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, I would respond to the gentleman from New Mexico as well as the gentleman from Pennsylvania as well as the gentleman from New York, the discussion today should have very little to do with the issues they talked about. There is only one issue that is major, and that issue is what does the formula do for you in your district in the third, fourth, and fifth years of this authorization?

No one, not the chairman of the committee, not the chairman of the subcommittee, not the ranking member, not any of the staff can tell you that. That is why I said we need 3 days so that we can get the runs, so we can tell you what it will mean to your district.

So I would hope that you put all the other rhetoric aside, concentrate on the ability to get the information you need to know what happens to your district.

We are moving the program from a program of educationally disadvantaged to a program of poverty. That is not what the program was all about.

The chairman said that six times in the conference.

So I would hope you would concentrate on the discussion in relationship to the formula in the last 3 years of this authorization.

#### SUPPORT THE MOTION TO RECOMMIT H.R. 6

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I would just like to provide my colleagues with another reason to support the motion to recommit H.R. 6 today.

House conferees had the opportunity to accept a Senate amendment to the bill which would have given local schools needed authority to prevent violence in the classroom. It would have closed a loophole in Federal law that presently allows students who commit extremely violent acts to claim Federal protection under the IDEA. Yes, Federal law requires that a student who commits a deadly assault, a stabbing, or a rape, stay put in that school if he or she can make a claim to IDEA protection.

The Gorton-Lieberman amendment in the Senate passed that body overwhelmingly with strong support from both parties. Many of you have expressed support for a similar bill I have introduced in the House. We have a chance to fix a law that is being exploited today, a chance to provide greater protection to our students and teachers, but we can only do it if we recommit this terrible bill to conference.

If the chapter 1 provisions and if the diluted school prayer and homosexual instruction language are not enough then the fact that we are not being allowed to even see the formulas we are voting on, on a bill that we can not get a copy of from our Document Room should be plenty of reason to vote for the motion to recommit. Please vote to recommit H.R. 6 to protect students and teachers in your local schools.

#### CONTRACT WITH AMERICA

(Mr. SMITH of Michigan asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SMITH of Michigan. Mr. Speaker, we have heard complaints about Republicans commitment to lower taxes, less government, and balancing the budget of the Federal Government. In particular, Democrats complain that Republicans have failed to say how they are going to pay for our contract with America. Some liberals, in traditional scare tactics style, have suggested that we are going to cut Social Security.

I just want to point out that last year, and again this year, Republicans presented this

House their own budget resolution stipulating deficit reduction without tax increases, without any cuts in Social Security, and specifying exactly where spending cuts should occur.

The contract with America has a total cost of approximately \$140 billion. The \$140 billion is tax cuts. The Republican budget proposal presented earlier this year included these same tax cuts for middle income Americans and still reduced deficit spending by \$300 plus billion.

Mr. Speaker, the conservatives in this Chamber believe that it is time we get this bloated Federal bureaucracy under control, cut spending, and leave more hard-earned dollars in the hands of working Americans by reducing taxes.

#### WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON H.R. 6, IMPROVING AMERICA'S SCHOOLS ACT OF 1994

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 556 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 556

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 6) to extend for six years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. PETE GEREN of Texas). The gentleman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

#### PARLIAMENTARY INQUIRY

Mr. DORNAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DORNAN. Mr. Speaker, we only have about 6 legislative days left. When 1-minutes are cut off to get into business, that means that the rule still pertains that we will open up to 10-minutes at the end of legislative business?

The SPEAKER. There will be an opportunity at the end of the day, the gentleman is correct.

Ms. SLAUGHTER. Mr. Speaker, I yield the customary 30 minutes of debate time to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1110

Mr. Speaker, House Resolution 556 provides for the consideration of the conference report on H.R. 6, the Improving America's Schools Act of 1994.

The rule waives all points of order against the conference report and against its consideration.

The rule further provides that the conference report shall be considered as read.

Mr. Speaker, the conference report on H.R. 6, the bill for which the committee has recommended this rule, will reauthorize the major Federal elementary and secondary education programs.

The conference committee that negotiated this bill deserves the utmost praise and thanks from all of us. We ought to especially recognize the work of the committee's chairman, the gentleman from Michigan [Mr. FORD], who is completing his congressional service this year. Mr. Speaker, throughout the length and breadth of the United States there are students, and parents, and educators who owe an enormous, incalculable debt to the gentleman from Michigan. His wise counsel and his direction in making certain that we meet the educational needs of America's children, for migrant children to homeless children, is extraordinary, and despite numerous disagreements with the other body, Mr. Speaker, the leadership of the gentleman from Michigan has produced a conference report which is substantially similar to the House-passed version of H.R. 6. The gentleman from Michigan [Mr. FORD] was joined in his hard work by the committee's ranking member, the gentleman from Pennsylvania [Mr. GOODLING], as well as his colleague, the subcommittee chairman, the gentleman from Michigan [Mr. KILDEE].

Mr. FORD's service as steward of this ambitious education bill began last year. He guided the legislation through a lengthy debate on the floor of this House, which continued for 4 weeks and involved consideration of over 40 amendments. Finally, he led House conferees during extremely complex negotiations to reconcile our bill with the Senate's proposal. The result of his labor is here before us, and it is a wonderful capstone to his legislative career.

Mr. Speaker, Congress must act very quickly to pass this legislation. H.R. 6 reauthorizes title 1 and over 40 other Federal education programs, including: the Eisenhower Teacher Training Program, the Impact Aid Program, the Chapter Two Block Grant, the Drug-Free Schools Act, the Magnet Schools Program, the Even Start Act, and migrant education.

Under this reauthorization, approximately \$11 billion of funding for these programs can be distributed to school districts for the fiscal year 1995. But the Department of Education has informed Congress that these funds cannot be released until H.R. 6 is signed into law. After 2 years of discussion and evolution, we have finally arrived at an excellent piece of legislation. Failure to pass it now will threaten Federal funds for schools in every hometown in the country.



H.R. 6 also reauthorizes Federal funds to help homeless children stay in school. I initiated many of these programs in legislation I wrote in 1990, and I am proud to see them extended and strengthened in this conference report.

An estimated 100,000 of America's children go to sleep homeless in this Nation every night. Families with children are the fastest growing segment of the homeless population. Given these startling realities, it is critical that every school district in the country works to remove special obstacles that homeless children face in getting their education.

From simple matters, like completing paperwork without home addresses, to tougher issues, like affordable school supplies and transportation, the grants will help schools to keep homeless kids enrolled. This is more than simple compassion, it is an investment in our future. Without special intervention, these young people will never get the education they need to break the cycle of poverty, and the homeless students of today will become the welfare dependents of tomorrow.

I would especially like to thank the gentleman from Michigan [Mr. KILDEE] and the gentlewoman from Washington [Mrs. UNSOELD] for their assistance in this portion of the legislation.

Hand in hand with Goals 2000, this conference report establishes a new framework for education in our country. We in Washington will give local communities, parents and teachers greater flexibility, and in exchange they will hold our Nation's children to higher educational standards.

But that flexibility does no good to our local school districts if the programs are not reauthorized. Some 13,000 local educational agencies are relying on the Federal funds authorized by H.R. 6. At this late date, a vote to recommit this conference report, or to defeat this rule, could well prevent its consideration this year.

This is carefully crafted and balanced legislation. I urge my colleagues to support both the rule and the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I certainly thank the gentlewoman from Rochester, NY [Ms. SLAUGHTER] for graciously giving us half her time.

Mr. Speaker, I would like to say to the Members who are not on the floor, you should turn up the volume on your TV's back at your offices, and you better listen up because you're about to see the school districts in your area receive short shrift.

Mr. Speaker, we are being asked in this rule to waive every rule of the House against the conference report on this 6-year, \$50 billion elementary and

secondary education bill. That means quite simply, Mr. Speaker, we are waiving the 3-day layover requirement for conference reports, the scope and germaneness requirements, appropriations in an authorization bill, the budget act itself, and every other House rule.

I say to my colleagues, I want you to just look at this. Twelve hundred pages. And we are going to do this whether those rules have been actually violated in the conference report or not.

Perhaps the most telling provision of this rule is the last sentence which reads, and I quote, "The conference report shall be considered as read."

Well, what does that mean?

That language would not be necessary if we were complying with House rules in the first place, since under clause 2 of rule XXVIII, if a conference report has been available to Members for 3 days, it will be considered as having been read when it is called up for consideration. If it has not been available to Members for 3 days, the authors of this particular provision of rule XXVIII thought it should be in order for Members to hear the conference report read in its entirety. No one would have had the time to have read it for themselves, but this rule makes sure that no one will have time to either read the conference report or to hear it read. As my colleagues know, there is no way that we are going to have this read on the floor by the Clerk because it is 1,200 pages of legalese. So, that is why we needed the 3-day layover, so that Members would have had the weekend to actually understand what is happening here.

Mr. Speaker, at the time this conference report came to the Committee on Rules yesterday, we only had this foot-high stack of papers. I must confess I was afraid to read it for fear of causing an avalanche. How ironic is it that on an education bill, we are asking Members to vote on such a massive, 1,200-page document without being fully educated to its contents? We are being asked instead to cast an uneducated, uninformed vote on an unread bill, all for the sake of educating our Nation's elementary and secondary school students. Let us just hope that they do their homework a little better than we are going to do our homework.

Mr. Speaker, when I asked the chairman of the Committee on Education and Labor, who I have great respect for and who is leaving us after, I think, 30 years of service; I asked him why we needed to waive the 3-day layover requirement. He pointed out to me that the authorizations for these programs expired at midnight tonight. But does anybody expect the other body to pass this bill, as well, by midnight tonight? We know they will not, and I say, let's get serious around here.

Moreover, Mr. Speaker, I am informed that it is not true that the money will run out at midnight tonight. Under permanent statutory authority, the Education Department tells me the existing programs can continue to receive funds at current levels—so the money is not going to stop at midnight tonight. It is going to continue to flow as it always has.

The chairman also testified on something more, and I say to my colleagues, if you're listening back in your offices, you ought to listen to this because this is terribly important.

□ 1130

If we wait until Monday to vote on this conference report, the chairman said, we would be flooded with phone calls on Monday morning when people found out what it really does.

That testimony yesterday was the second day in a row that the Committee on Rules was asked by a chairman to waive a 3-day rule for a conference report on the grounds they did not want there to be time for people to learn what was in their bills, for fear that opposition would mount.

Wednesday, the Committee on Rules voted 5 to 4 against waiving the 3-day rule on the lobby disclosure conference report. Yesterday, they reversed themselves in the Committee on Rules and voted 4 to 3 to waive the 3-day layover on this bill. Why? What kind of democracy have we come to, when we are afraid to let the people know what we are doing here?

I always thought that our system of Government was dependent on an informed citizenry. Now we are being told we cannot even afford to have informed representatives before we make decisions on massive bills costing billions of dollars like this.

Mr. Speaker, I am not just talking theoretically here. In this case, there are real winners and there are real losers. I was fortunate enough, and I think, Members, you better listen back in your offices again, because you are going to get the short shrift in your districts. I was fortunate enough to get an early printout on this new title I formula that was concocted in the conference committee, and it shows that all nine of my rural counties will lose money under this bill.

The chairman of the Committee on Education and Labor admitted that there are a lot of losers under this bill. He talked about a teeter-totter tipping back and forth between the east coast and the west coast, depending on how you tinker with the formulas. Well, if that is the case, I feel like the victim of a school yard prank, where the person at the bottom of the teeter-totter suddenly jumped off and the person goes plunging to the ground with a major jolt that sends him tumbling down in pain.

Mr. Speaker, if this bill becomes law, my district gets the short end of the

teeter-totter and gets a major jolt to the wallets of my constituents. And I am talking about rural counties that are already severely strapped financially due to a lagging economy and thousands of job layoffs, 10,000 in the Hudson Valley alone just in the last 18 months.

I suspect that there are a great many Members in this House who are similarly affected by this bill, and they will not have time to find out because they are not going to have time to read the bill. Try to explain your support for this rushed rule to your local districts when they find out how much they will be losing under this new formula.

Think about it back in your offices now. Do you know how much they are going to be losing? You had better come find out. You are not going to have time to find out, because after this rule, if it passes, we go to the bill. The bill is going to pass one hour after that, and it is too late for you and the people you represent.

Mr. Speaker, I do not mean to trash this bill in its entirety or the work of our conferees. There are plenty of wonderful things in the bill. The local school districts are given more flexibility in many cases than previously. There is much that is commendable in this legislation, at least I am told so by respected Members. The gentleman from Michigan, Chairman FORD, and the ranking Republican, the gentleman from Pennsylvania, Mr. GOODLING, and their fellow conferees were grappling with a variety of very difficult challenges in putting together this major rewrite.

These programs mean a lot to our local school districts in providing a better quality of education for our young people. But any work of this magnitude deserves more attention and more understanding than this rule allows. In a way, the rule is an insult to the work of the conferees.

Mr. Speaker, a political scientist once defined politics as the science of how, and who gets what, when, and why. This conference report, involving billions of dollars for programs affecting millions of students spread over some 90 percent of the school districts in America, is surely testimony to that definition of politics.

But I suspect the method of allocating these scarce resources in a conference committee is less a science than it is an art. Politics is, after all, the art of compromise, and the conferees had to hammer out numerous compromises to bring the programs up to date.

All I am asking in opposing this rule, Mr. Speaker, is to let the 400 Members of the House who were not conferees have a chance to study the compromises, at least over the weekend, to determine what they are, what they do, and whether they are, in the final analysis, fair and in the best interests of

the country and its educational systems.

Mr. Speaker, I am asking Members to come over here and try to find out how your school districts are affected and see what is happening to you. If you do, you are going to find—the vast majority of this Congress—you are going to vote no on this rule. Please do.

Mr. Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETE GEREN of Texas). The Chair will remind all Members to address their remarks to the Chair, and not Members sitting in their offices.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes for the purpose of debate only to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I rise in support of the rule providing for the consideration of the conference report on H.R. 6, Improving America's Schools Act of 1994.

Mr. Speaker, this is the most important reauthorization since ESEA was enacted in 1965, and the process for its development was very open and very inclusive.

We began several years ago with an invitation from the Committee on Education and Labor, signed by the gentleman from Pennsylvania [Mr. GOODLING], myself, and the gentleman from Michigan [Mr. FORD], to hundreds of organizations with an interest in education to send us their comments and recommendations. Then we considered this bill on the House floor for 29 hours under an open rule, 1 full month of debate, from February 24 to March 24. We all remember H.R. 6.

We had a very lengthy conference, during which many issues were extensively discussed. The result of our deliberations is a good agreement, which reflects a strong defense of House-passed provisions, and includes all the major components of the House bill.

As refashioned by H.R. 6, Federal elementary and secondary education programs now become an integral part of State and local reform efforts by providing more local flexibility, requiring greater accountability for results, and, through the use of waivers, allowing funds to be creatively combined in order to improve student achievement.

In the process of reconciling the differences between the House and Senate versions of this massive reauthorization, it is not surprising that there are several minor scope and budget exceptions. For instance, the agreement includes a Senate provision authorizing the National Education Goals Panel to accept gifts from private donors, a provision requested by the administration and supported by the House Republicans.

There is also a provision reauthorizing the Even Start Program, authorized by the gentleman from Pennsylva-

nia [Mr. GOODLING], to include a limitation on school districts forming partnerships, a change proposed by a Republican Member that was contained in neither bill.

For these reasons and for other reasons, this rule protects the conference report from all points of order.

Mr. Speaker, I live in a district that is quite a cross-section of America, two large urban cities, wealthy suburbs, some not so wealthy suburbs, soybean farmers, wheat farmers, beef farmers. I have rural school districts, and I have urban school districts. I have worked out assiduously a formula that will guarantee equity for all the school districts in this country, because my district is a microcosm of this country.

I urge my colleagues to support this rule and to bring this very important conference report before the House for consideration.

Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield 6 minutes to the very distinguished ranking Republican member of the Committee on Education and Labor, the gentleman from Pennsylvania [Mr. GOODLING].

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. GOODLING] is recognized for 8 minutes.

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding.

Now, Mr. Speaker, I am for this education bill. Among many other things, it contains an impact aid provision I urged the committee to write which will help keep the North Chicago Schools in my congressional district from closing this year.

But, Mr. Speaker, I want to say something about one argument that is being made about the need to pass the bill. The Department of Education and, I understand, the chairman of the Appropriations Committee are arguing that because the Education appropriations bill, for which I am the ranking subcommittee member, references the Improving America's School Act, if that act is not passed, then the education funding cannot be obligated in 1995.

I believe that argument is absolutely absurd. I can tell you, that regardless of what position the Department or the committee may now take on the technical merit of the appropriations language, it was my understanding, and I believe that of every other participant in the conference, that the appropriations language provides a fall back to the expired authorization if the Improving America's Schools Act were to fail enactment.



Mr. Speaker, I want to illustrate the absurdity of this situation. We all know that appropriations bills are not supposed to fund unauthorized programs. And yet, over the years, it has been common practice to fund programs whose authorizations have expired because the authorizing committees were unable or unwilling to pass the necessary legislation. In the Labor, Health and Education bill, for example, we have funded the title X pregnancy counseling program without a current authorization for a decade. Are Members on the other side now suggesting the Department of HHS ought to have withheld funding for that program? Substance abuse treatment programs, which will receive over a billion dollars in 1995, are not authorized. Is HHS going to withhold funding for those programs pending a reauthorizing bill which may not come until late next year?

Mr. Speaker, across the government, the list of unauthorized programs is a long one: \$11.6 billion for housing programs; \$500 million for the Secret Service; the entire Department of Energy, except for fossil fuel which hasn't been authorized since 1984;

The Legal Services Corporation; the Immigration and Naturalization Service; the Bureau of Land Management—10 years unauthorized; NASA, unauthorized since 1992; and, FBI general appropriations \$2.2 billion.

Mr. Speaker, the list goes on for some time. The point I am making is that if the administration is going to start withholding funding for programs which have not been timely reauthorized, it must apply this consistently and withhold funding of all unauthorized programs. No, clearly, the appropriations bills, where authorizations, for whatever reason, have not been made, in every instance intend not only to appropriate but to reauthorize existing law, and this one is no different. That, plainly was our intent.

I want to reiterate: I am for the bill. But we ought not to argue for the bill on the basis of an absurd construction by the Department of Education.

Now, in addition, Mr. Speaker, I have looked at the letter from the general counsel of the Department of Education and I would say to the gentleman that I am amazed by this so-called legal opinion that says that the existing law would not be funded if we did not pass this bill.

Now, I am very strongly for this bill. I believe the bill makes good changes in the law and we ought to adopt it, but for the legal counsel to say that funding will not continue under existing law in the absence of enactment of the new law is absolute nonsense. There is even the suggestion in this letter that people might have standing to sue in the court under a law that has never been enacted, which I find ludicrous.

□ 1130

I would say to the gentleman, I believe very strongly that if we do not pass the law, nevertheless we would continue to operate under existing law. And the appropriation bill would appropriate properly under the law.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Speaker, we took care of the concerns of the gentleman from Illinois [Mr. PORTER] about impact aid. But I want to tell the gentleman that impact aid is not authorized beyond midnight tonight. It is not authorized beyond midnight tonight. All of the education programs that are in this bill were authorized for a finite period of time. The authorization runs out at midnight tonight.

Mr. PORTER. Mr. Speaker, if the gentleman will continue to yield, I would say to the gentleman, I am very strongly for this bill. I will vote for the bill. But I believe that the opinion of the counsel of the Department of Education is simply wrong. The authorization would not expire tonight. In fact, the appropriation bill would operate to reauthorize existing law.

Mr. FORD of Michigan. Mr. Speaker, the gentleman is on the Committee on Appropriations. Does he remember that he put language in the appropriations bill saying that the expenditure of 1995 appropriations is contingent upon the passage of this law?

Mr. PORTER. Mr. Speaker, no, I do not believe there is any such language in the appropriation.

Mr. FORD of Michigan. Mr. Speaker, yes, it is. The gentleman even nailed it down tighter than the law would have been without it.

Mr. GOODLING. Mr. Speaker, reclaiming my time, that is only on the new programs that are involved. Here are \$60 billion of programs that were appropriated this particular year in 1994, \$60 billion with no authorization whatsoever, no reauthorization whatsoever.

Mr. Speaker, I went to the Committee on Rules yesterday, primarily because I believe it is the responsibilities of Members of a committee authorizing legislation and bringing it to the floor of the House to be able to tell all the other Members exactly what the legislation does in relationship to their district.

As I said earlier in my 1 minute, we have a magnificent staff on both sides of the aisle. They cannot tell Members what happens in the third, fourth, and fifth year. The chairman cannot tell Members what happens in the third, fourth, and fifth year. The subcommittee chairman cannot tell Members what happens in the third, fourth, and fifth year. I cannot tell my colleagues

what happens in the third, fourth and fifth year. That is why it is so important that we not waive the 3 days so that we have an opportunity to be able to tell Members just that.

This is very misleading. Somebody is sending out this kind of information. When we get over here to 1996, it says, "96 conference agreement," tells me how much more money I am getting. In relationship to what? Not in relationship to the current formula, not at all.

We need that column in there to be able to tell Members exactly what it means to them in 1996, 1997, 1998, the out years. We positively cannot tell anybody what it means to them.

I think that is a fault on our part as an authorizing committee. We should be able to tell every Member exactly what happens in their districts.

During the last hours of our conference, unfortunately, things started moving rapidly. I guess we got impatient. I guess Members started thinking that, well, we will not come up with something if we do not move and we do not give.

That is why we cannot explain to Members this particular formula. I would like to have the time, and I do not, to show my colleagues the formula, and then they can tell me what they think that formula does for them in those last years. If Members can tell me that, they are the smartest persons on Earth, there is no question about it.

Again, the issue has nothing to do with all the issues we heard in the 1 minutes. The issue has strictly to do with what happens to Members in their districts, because when they get down here to the third year, our 2 percent drops out, if they have less than 2 percent poverty.

Some will say, that is good. We ought to concentrate it.

Let me tell my colleagues, this bill, as the chairman said six or eight times during the conference, was written for educationally disadvantaged youngsters. It was not a poverty program, so we may have a thousand educationally disadvantaged youngsters, the next district may have only 500. But their percent of poverty is above the 2 percent and, therefore, you get nothing and they get the money.

That is not what the legislation was all about. That is not who we were just trying to serve. We were trying to serve all of those who are educationally disadvantaged.

Then when we get into the next year, now we really start targeting, targeting, targeting. So it means that the educationally disadvantaged again lose less, lose less. There is a hold harmless in there, but look at how the hold harmless is written.

If you are in this certain percentage of poverty, your hold harmless is such. If you are in this, it is something else. If you are in this, there is three different categories. It is something else.

The educationally disadvantaged have to suffer, particularly in those out years.

I think before we vote on the bill, we really need to know what happens in the third and the fourth and the fifth year. Members are coming down here making speeches who have no idea what is in the bill and have very little knowledge, if any, about the formula.

I have studied and studied the formula and still cannot tell Members in the third, fourth, and fifth year how they will fair under this new formula, very convoluted, very confusing. And it will take a lot of study on Members' parts. We needed 3 days so that we could get runs that mean something so that we could tell every Member in this body exactly how they fair under this particular piece of legislation in the out years.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Michigan [Mr. FORD], the chairman of the committee.

Mr. FORD of Michigan. Mr. Speaker, I rise to try to clear up a little of the smoke that has just begun to waft across the floor here. I tried to engage in an exchange with the gentleman from the Committee on Appropriations who denies that this language is there, so I got the report, dated September 20, from the conference on the appropriations that cover this legislation. I would like to read from that report.

Both the House and the Senate bills provided funding for education for the disadvantaged activities based on proposed changes in the Elementary and Secondary Education Act currently being considered by Congress. The House bill provided funding based on the authorization as passed in the House on March 24, 1994. The Senate bill provided funding based on the bill as passed in the Senate on August 2nd, 1994. The conference agreement provides funding based on the authorization "as enacted into law." This action protects the rights of both the House and the Senate as the reauthorization process is completed.

That is the language that says, we are appropriating this money on condition that you complete action on the law.

Now, as Members know, under normal circumstances, we cannot appropriate money for anything that is not authorized by the Congress. And it has been a continuing practice for the Committees on Appropriations on both sides, if we pass in the House, the reauthorization, to appropriate to that level contingent upon us finishing the process by going to conference and coming back, as we are here with this conference report.

The long and the short of it is, at midnight tonight, on all the programs, including the program of the gentleman, money for impact aid, which we worked so hard to protect for him, it is drop dead time. It would be the height of irresponsibility to vote down

this rule and not have the House of Representatives do its part to meet that deadline. It is up to the Senate, when we finish today, whether they meet the deadline or not.

□ 1140

I feel it is my obligation as the chairman of this committee to send the House Members back to see their constituents, not faced with a headline next week saying the XYZ school district in their district has just learned that the money, whatever number of hundred thousand dollars that has been coming year after year after year to that district, will not be coming because Congress did not complete its work on the reauthorization.

Mr. Speaker, I am supporting things in this conference report that I in past years would have fought very bitterly, to the very end, to oppose, because of the urgency of getting this job done. I have sublimated some of my strongest feelings in order to accomplish this for the Members of this House. I hope they appreciate that we are giving them a chance to go home and say "I did my job."

If we are going to stop at this point and start quibbling, to hear the gentleman from Pennsylvania [Mr. GOODLING] say he does not know what is going to happen in the third, fourth, and fifth years of this authorization at this late date is a disappointment to me. The formula passed the committee 41 to 2, and the gentlemen voted for the formula. The formula passed this House after 7 days on the floor without a single amendment to that formula being offered, and a single word of criticism of the formula.

The formula that we brought back to you from conference is far more like the House-passed formula than the Senate-passed formula. I spent days in that conference defending the House formula, in large part because the Republicans on my committee, the Democrats almost universally, the two votes I had against it, incidentally, were Democratic votes. Not one Republican voted against the formula in the committee.

I kept faith with what they asked for on this floor, and in the conference. For them to be coming up at the last minute and saying "We do not know how much it is going to be in the third, fourth, and fifth years" is disingenuous, at best.

Let me say, the first year we appropriate numbers in this legislation. Each year therefore it is such sums as may be necessary, and it is up to the Committee on Appropriations to decide what the numbers are.

Therefore, if there is any doubt about what is going to happen in the third, fourth, and fifth years, it is no different than the doubt has always been. We do not know how much the Committee on Appropriations is going to

appropriate in the third, fourth, and fifth years. The sheet we passed out that the gentleman showed does not purport to have us look at a crystal ball and predict for us what the Committee on Appropriations will do.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Wisconsin [Mr. GUNDERSON], a member of the committee.

Mr. GUNDERSON. Mr. Speaker, if there is one thing I think is the reason people hate the Congress of the United States, it is because we play these games of fiscal brinksmanship. We hear this rhetoric that says "Vote for this bill today, or you are not going to have any kind of money for schools." We all know that is crazy.

No. 1, we can go back and change this formula. We are all going to be here for another week. No. 2, we have a bill in that extends every one of these programs for another year. Do not let anybody tell you it is this or nothing for your schools.

Second, let us understand exactly what we are dealing with here. There is probably nobody in this Congress that wants to vote for an education bill more than I do. I have voted for every education bill in this entire Congress, and I am proud of that. I thought until Monday of this week that I would be voting for this one.

However, the reason we ought to be defeating this rule today is because absolutely nobody knows what we are voting on. I know there is not a Member of Congress that has read the bill, but I am not going to make that case. I am going to say that I know there is not a member of Congress who can tell a school district in their State or in their congressional district what they are going to get under this bill for funding when the new formula goes into effect.

Mr. Speaker, on Wednesday of this week I got this formula right here. It told me my district was going to lose \$288,000. No one has ever accused STEVE GUNDERSON of having a rich congressional district, but I was going to lose \$288,000 in my small, rural schools.

Thursday of this week I got a formula that said I am going to lose not \$288,000, I am going to lose \$344,000 in Chapter 1 money under this particular new compromise formula.

Then Friday morning, earlier this morning, the Chairman sent me, and I suspect many others, a letter. The letter says "Don't worry, all this rhetoric is untrue. In 1996 you are going to be better off than you are under the 1994 allocation."

Mr. Speaker, everybody is better in 1996 than they are in 1994, because, No. 1, we have added \$300 million new money and, No. 2, we hold everybody harmless.

In all due respect, Mr. Speaker, if Members got this letter in their offices, tear it up. It is not worth the paper it



is printed on, because it does not tell you the truth, which is, the new formula goes into effect in 1997.

The chairman of the committee stands up and says nobody is going to lose money under this act. That is simply untrue. In 1994 funding, every school is told under this new formula, unlike the formula passed by the House of Representatives, that "That is all you are going to get. You are going to take cuts for the allocation of census redistribution", et cetera.

We received this morning from our Wisconsin Department of Public Instruction information, we were informed by our Wisconsin Department of Public Instruction this morning, Mr. Speaker, that 89 school districts covering 5,569 students, Chapter 1-eligible students, would be, under this new formula, told that they will have a declining revenue from that 1994 base on out, and they will get no new money ever in the future, as they would have under the formula that passed the House of Representatives.

Mr. Speaker, if Members worried about previous votes, they ought to worry about this for two reasons. No. 1, they do not know what they are voting on, nobody knows. No. 2, we are going to vote on a proposal and a formula that is going to cut Chapter 1 dollars big time to our schools in 1997, 1998, 1999 under this program. That is not a commitment to education, that is fiscal irresponsibility by the Congress of the United States.

Defeat this rule, send us back to the conference to restore the Chapter 1 formula. It was approved on a bipartisan basis by the House early on.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only I yield 4 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank my friend and colleague, the gentlewoman from New York [Ms. SLAUGHTER], for yielding time to me.

Mr. Speaker, I rise in strong support of the rule and the conference report on H.R. 6, the Improving America Schools Act. I was a conferee, and we met many, many times with the Senate to hash this out.

Mr. Speaker, I have heard delaying tactics here and partisanship here and attempts to defeat this rule in order to stymie this bill. It is not a matter of giving people a few more days to study it and know what is in it. It is a matter of giving people a few more days so they can attempt to strangle and kill the bill next week.

When we met in the conference, every attempt was made by the Chairman and the conferees to bend over backward to satisfy people on both sides of the aisle. We have heard rhetoric "This is a bad bill, and amendments make the bill worse," but then when you ask the other side "If we do not have the amendment, will you vote

for the bill," we do not get any affirmative responses.

Let us see this for what it is worth. It is an attempt to defeat this rule and defeat this bill next week, and to throw everything into turmoil. Unfortunately, that seems to be what is happening on the other side of the aisle. They want gridlock, they want it to continue. They want nothing to pass. They want to go to the November elections with nothing passed, so they can say "See, the Democrats in Congress cannot even do anything right."

I do not think we should be playing games with America's education. Education should be bipartisan. We tried to craft a bipartisan bill. You can only get a bipartisan bill if two sides are willing to craft it. We sat down. We attempted to work this out. This is a very, very good bill. We worked very, very hard on H.R. 6. It came to the floor time and time again.

As the Chairman pointed out, Mr. Speaker, the final formula for chapter 1 funding is very similar to the formula that the House originally voted on, which was passed by virtually all Members of the committee on both sides of the aisle.

Mr. Speaker, defeating this rule would be a tragedy. It would be a tragedy for America, it would be a tragedy for America's children, it would be a tragedy for education in America.

Mr. Speaker, I want to take this time to commend both the chairman of the committee and the chairman of the subcommittee, the gentlemen from Michigan, Mr. FORD and Mr. KILDEE, and all my colleagues on the Committee on Education and Labor, for their work on this legislation.

This is an excellent bill. It will provide important funding for many education programs. It includes a fair funding formula for chapter 1, which provides 300 million new dollars in fiscal year 1995 for this important program.

Additionally, it holds all school districts harmless for any formula change in fiscal year 1995, and starting in fiscal year 1996, so no one will be hurt, Mr. Speaker. No districts will be hurt.

□ 1150

The new formula attempts to concentrate some of the new money in areas which serve a high number of disadvantaged students. This formula was carefully crafted to ensure that virtually no State will lose money under this bill.

I ought to mention, also, Mr. Speaker, an important program in this bill which I fought hard for, the Community Cultural Partnership Act. This legislation is designed to link local community cultural resources with the children and youth who are most at risk of dropping out of school. I am a former teacher, guidance counselor, and the father of three young children

and I have always seen education as a bipartisan issue. When you have a bill of this magnitude, you are never going to get something that is 100 percent to everybody's liking but I can tell my colleagues with all sincerity, we worked darned hard to make this bill a bill that ought to be passed with votes on both sides of the aisle.

I beg Members, please do not defeat this rule. Defeating this rule will mean that the bill will most likely be defeated and that again would be a tragedy.

When the other side of the aisle raised chapter 2 funding, I was the only Democrat to support them because I felt that the point they were making was very, very true and a block grant program for States was very, very important.

I would urge my colleagues on both sides of the aisle—this is a good bill for America, a bipartisan bill—please support the rule and please support the bill today.

Mr. SOLOMON. Mr. Speaker, I can understand the gentleman's support. It takes money out of my district in upstate New York and gives it to New York City. Naturally he would be for it.

Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from San Diego, CA [Mr. CUNNINGHAM], a member of the committee.

Mr. CUNNINGHAM. Mr. Speaker, I would like to address some statements that the gentleman from New York [Mr. ENGEL] made. First of all I am not going to support this rule but I am supporting the bill, and I will tell why, so there is an affirmative on this side. I, like the gentleman from New York, feel if we can invest where we can invest money, we ought to invest in our children. But I also know there are people in this bill under the formula that do lose money. My State, California, benefits greatly. We have increased by 38 percent our population. It was based on 1980 census. Then it goes up. Then in 1997 we are going to have a country census. In 1999 we are going to have another. I think the gentleman from Wisconsin [Mr. OBEY's] district, for example, loses greatly, upstate New York loses greatly and is targeted. The first year it is held in current law, the second year held harmless. Then we will also gain because we are increasing in population which will take away from other States. But in this, I think there are many people that under the current formula, and the gentleman from Michigan [Mr. FORD], the chairman, and the gentleman from Michigan [Mr. KILDEE], I think they worked in the conference. They did a job where we could not budge the Senate or the House position. I preferred the House position. But it was not going to go anywhere. I think there was disagreement on what our position was going to stay at the House position. But in the

meantime under this formula, many States do lose.

I would ask people to look, and all we are asking is that we have time to make a run to see what those States and what they do win and what they do not lose. For that reason, I am going to vote against the rule, but I will vote for the bill because of what it does for California. It also is a fairly good bill.

I look at a bill for the good, the bad, and the ugly of it. This has got more good than it has bad in it. But for a lot of people it has more bad than it does good.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewomen from New York [Ms. SLAUGHTER] for allowing me to participate in this discussion on the rule.

Mr. Speaker, I rise in support of the rule for H.R. 6, the Improving America's Schools Act.

It is imperative that we put partisan politics aside and pass the rule on this conference report for this is a fair and equitable rule and this conference report is in the best interest of children of our Nation.

We will have failed as legislators if we do not work toward our Nation's future by providing adequate funding for the education of our children.

My district, the First Congressional District of North Carolina, is severely economically disadvantaged. These funds enhance equal opportunity for improved education for all students, regardless of locality. The school districts of my constituency desperately need the Federal funds provided through this bill to provide the necessary educational services to the children of eastern North Carolina so that they have the skills to be productive members of society. If we willingly deprive them of these funds, we doom them to failure not only in the present but in the future.

I strongly urge my colleagues on both sides of this aisle to support the rule on H.R. 6 so that our children may achieve to the levels that we know they are capable of.

Mr. SOLOMON. Mr. Speaker, this body has distinguished new Members from both sides of the aisle. I yield 2 minutes to the gentleman from Holland, MI [Mr. HOEKSTRA], one of those new Members and member of the committee.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman from New York for yielding me the time.

Mr. Speaker, 2 years ago when I decided to come to this House, it was pretty easy to say that Washington did not look very good from west Michigan. The disappointing thing is that when you come to Washington, you find out that what goes on in the House

here does not look a lot better when you come up close. That is what we are talking about here today. We are talking about the rule, the process by which we are going to consider 12 billion dollars' worth of spending.

I would like to say that this is the bill and we could review this in 24 hours. But in reality, this is the piece of legislation that we are going to have less than 48 hours to review before we are going to have to vote on it. What is contained in these 1,200 pages? There are \$12 billion of authorizations. The bill has 20 new programs. Eleven of these programs have never been considered in the House. They were not approved in the full committee. These 11 bills are going to cost \$364 million. We in this body do not know what is contained in these programs. It also includes \$138 million of continued spending for five programs that we tried to eliminate. We are going to be voting on 1,200 pages of legislation, \$12 billion of spending, 11 new programs that we do not fully understand, and a funding formula that I really do not know whether it is going to add money to my district in the out years or it is going to take money away, but the bottom line is we do not know what is in the bill.

Once again this body is flying feet first. Let us give everyone a chance to thoroughly review its consequences.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, I am pleased to come before the House to support the conference report to accompany H.R. 6, the Improving America's Schools Act of 1994.

The legislation includes several provisions that are designed to ensure gender equity in education. These provisions, backed by the Congressional Caucus for Women's Issues, will go a long way toward making sure that our young women and girls as well as our young men and boys receive the best education possible.

There are two provisions that I sponsored and that are especially important to me. They are the provisions concerning athletic disclosures and child abuse.

Twenty-two years ago, Congress sought to eliminate sex discrimination in education, including athletics, when it passed title IX of the education amendments to 1972. Despite initial progress in women's sports, sex discrimination continues at our Nation's college and universities. Women's teams are often given less financial support, which includes operating expenses, scholarship expenses, and recruiting expenses. They are given poorer facilities for training, worse hours for practice and competition, inferior travel accommodations, and little, if any, promotional support. Things do not have to be this way and we should not let them stay this way.

Earlier this Congress, I introduced H.R. 921, the Equity in Athletics Disclosure Act to require colleges and universities to publicly disclose data concerning their commitment to ensuring gender equity in athletics for men and

women. Senator MOSELEY-BRAUN introduced companion legislation and was victorious in attaching the disclosure provisions included into the Senate version of the bill.

A goal of the disclosure provisions is to ensure that young women are given equitable athletic opportunities; however, gender equity in athletics is not only about providing young women with physical exercise. A report sponsored by the Women's Sports Foundation found that,

the greater the level of women's past involvement in organized athletics, the more likely they are to positively evaluate themselves in regard to setting objectives, leading a group, motivating others, sharing credit and feeling comfortable in a competitive environment.

This legislation will require colleges and universities to publicly disclose data concerning their commitment to ensuring gender equity in athletics for men and women. By encouraging gender equity in athletics, we are laying the groundwork for creating a new generation of women leaders with increasing abilities to compete and excel in corporate America. In addition, this legislation will shine a light on the schools that take their women athletes seriously and those that do not. Students will know the record of the college or university before they decide to attend and schools will be encouraged to comply with Title IX.

The other provision that I want to address relates to child abuse. In response to the growing problem of child abuse in our Nation, I introduced H.R. 125, the Child Abuse Prevention Act. The provisions of H.R. 125 are included in the conference report and will enable elementary and secondary schools to use Federal grants to train teachers and develop curricula regarding child abuse prevention and education in elementary and secondary schools. Clearly, the provisions of the legislation will help child abuse victims that would otherwise remain unnoticed or unrecognized.

Mr. Speaker, many individuals helped craft this legislation and time will not permit me to congratulate everyone. However, at the very least, I would like to commend the chairman of the Education and Labor Committee, Mr. FORD, the chairman of the Labor and Human Resources Committee, Senator KENNEDY, the chairman of the Subcommittee on Elementary, Secondary, and Vocational Education, Mr. KILDEE, the chairman of the Subcommittee on Select Education and Civil Rights, Mr. OWENS, and their staffs for all of their hard work in designing this legislation. Also, I would like to commend Congresswoman MINK, Senator MOSELEY-BRAUN, Congresswoman WOOLSEY and their staffs and the Congressional Caucus for Women's Issues for help in perfecting the legislation.

Also, Mr. Speaker, I would remiss, if I did not acknowledge the Feminist Majority, National Women's Law Center, American Association of University Women, Women's Sports Foundation, and the National Association for Girls and Women in Sport for their assistance in promoting the athletic disclosure provisions. I urge the support of my colleagues for the rule and for the conference report.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentlewoman from Washington [Mrs. UNSOELD].



Mrs. UNSOELD. Mr. Speaker, I rise in support of the rule and in support of the bill.

Mr. Speaker, it is amazing some of the things that are being said on the floor today and that we should hold this over so that runs can be made to predict how this bill and these formulas are going to affect particular areas in 1997 and beyond. The problem with those statements is that we are creating a formula that is based on, "Let us send the money to where the problem is, let us send the money to where the poverty is, and then give flexibility to those schools to use that money within their entire school program." We are not going to have the census done until 1997 and 1999. So how are we going to make any runs this week or next week that are going to predict how individual schools are going to be affected?

□ 1200

What is happening instead, Mr. Speaker, is that we are seeing the first attempt at paying for the Newt Gingrich \$1 trillion deficit, that is the lack of balance in the budget that is in the Republican contract, because this effort now by the Republican leadership is to take away from those schoolchildren, from those programs that need this money and instead slide it over and give additional tax benefits to the wealthy.

We need this bill, and we have to recognize that the money has to go where the need is and where the poverty is.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Hickory, NC [Mr. BALLENGER], a member of the committee.

Mr. BALLENGER. Mr. Speaker, as a conferee on H.R. 6 who was unable to sign the conference report due to the bill's many inadequacies, I rise in opposition to passage of this bill to reauthorize the Elementary and Secondary Education Act. My opposition to this legislation is based, in part, on my belief that pages of Federal education policy requirements and directives should not be attached to the relatively small amount of Federal aid for elementary and secondary education. By making so-called Federal education funds contingent upon State and local school agency adoption of bad education policy, we are wrongly accepting the idea that there are so-called Federal funds. Mr. Speaker, I have yet to see the Federal Government raise major revenue without the American taxpayer. Federal funds are taxpayer funds, and Federal education dollars should flow back to the people from whence they came without burdensome spending stipulations. I trust the elected school board members and school administrators throughout this country will make wise education policy decisions—decisions that mirror the con-

cerns of parents and work in the best interest of our schoolchildren. Although I support many of the existing programs in this legislation, I simply cannot support any move toward a Washington takeover of our schools.

So far, I have spoken in broad terms. Mr. Speaker, let me give you an example of flawed education policy coupled with taxpayer dollars. This bill requires States receiving funds to adopt a 1-year expulsion policy for students bringing guns to school but allows school administrators to waive the policy on a case-by-case basis. We are all against guns and violence in schools, but expulsion policy should not be dictated from Washington, and the case-by-case wording only leaves the schools open for litigation based on alleged inequities in policy enforcement.

Mr. Speaker, Washington wants to dictate expulsion policy, but when it comes to formulating a policy to protect a constitutional right, the right to voluntary school prayer, Washington comes up short. The school prayer language in this bill places legal hurdles in front of children wishing to exercise their right to voluntary prayer. Parents throughout this country have asked Congress to protect this fundamental right, and I feel we can do better than the language contained in this bill.

I urge my colleagues to oppose this conference report. Let us be clear, this is not a vote against education, but rather a vote against growing Federal control over education. Not only are opportunity to learn standards present in this bill through State demonstration requirements for academic standards for title I children, the bill also includes gender-based reporting requirements for college athletic programs, 20 new programs that may reduce funding for other more deserving programs, and a weak answer to the chapter I formula debate. I oppose the rule, the conference report, and support efforts to extend the program authorizations for 1 year under current law so a better bill may be approved next year.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Speaker, I rise in support of the rule.

Mr. Speaker, it seems to me that too many of us are more interested in the formula than educating our children. Instead of targeting this money to the areas of greatest need, we seem to be talking about targeting it to areas of least need. Instead of discussing the educational needs of our students we are arguing about how much some rich districts will receive or will not receive.

Mr. Speaker, three of the programs included in this legislation are very vital to the educational needs of our children, the title I program, a revised

Dwight D. Eisenhower Mathematics and Science Education Program, and the Magnet Schools Assistance Program.

Since the inception of the Elementary and Secondary Act of 1965, Title I has provided through the years a vital and crucial link in helping to deliver high quality education to economically disadvantaged children.

Title I has served as a basis of hope in helping many young people sometimes perceived as losers to become winners. It has been extremely significant in providing services to our Nation's children and youths in reading and mathematics as well as in the development of critical thinking skills.

The move toward excellence and inclusiveness which began so nobly in 1965 with then President Lyndon Baines Johnson signing the Elementary and Secondary Education Act into law, must be permitted to move forward.

The Dwight D. Eisenhower Mathematics and Science Program in this bill will encourage professional development of teachers, staff, and administrators in increasing their knowledge and skills of the subject matter.

The Magnet Schools Assistance Program helps school districts fulfill the Federal commitment to school desegregation. Clearly, how we modify and reauthorize the Magnet Schools Assistance Program will demonstrate our continuing commitment to school desegregation in compliance with Brown versus Board of Education, 1954.

Mr. Speaker, I support the opportunity-to-learn standards provisions as included in this legislation. Opportunity-to-learn standards would identify the elements necessary in helping children to achieve the content and performance standards. Content standards indicate what children should know and be able to do; performance standards determine whether children are learning. I fully support both content and performance standards; however, I firmly believe that it is inequitable to hold students accountable for their performance without addressing the capacity of the school to educate children to the level required under the student performance standards. If we require content and performance standards, then opportunity-to-learn standards should be included in this legislation.

Mr. Speaker, this legislation is needed in order to enrich and expand educational opportunity for children and youths at all levels.

Mr. Speaker, I urge my colleagues to support this rule so that we may be able to consider and pass the conference report accompanying H.R. 6.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. DUNCAN]. When the elections take place 38 days from now and Republicans take control of this House,

we will pass a line-item veto, and no Member will deserve more credit for that than the gentleman from Tennessee, Mr. JIMMY DUNCAN.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for yielding the time, and certainly the gentleman from New York [Mr. SOLOMON] is one of our finest Members in this entire body.

Mr. Speaker, I rise in opposition to the rule that brings this conference report to the floor. This conference report flies in the face of the expressed will of this House.

Just a few days ago this body voted by an overwhelming margin of 369 to 55 to insist on the stronger House language on school prayer, yet this conference report contains the much weaker Senate language.

This comes at a time when everyone, from President Clinton to Dan Quayle, is talking about our loss of values and the decline in morality.

Morton Zuckerman, a liberal who is editor of U.S. News and World Report wrote recently a hard-hitting editorial entitled "Where Have our Values Gone Wrong?"

School prayer will certainly not cure everything that is wrong with this country, but it could help many, many young people across this land. We need to support the strongest possible language on this.

Janet Reno, the Attorney General, recently said,

School prayer advocacy, especially in inner cities, is a symptom of people trying to figure every way they can to reinforce people's ability to work together, to live together in families, to have a sense of purpose, a sense of self-respect, a sense of regard for others, and how we get along with each other.

William Raspberry, the great columnist for the Washington Post, wrote a column recently and he said this:

Almost every commentator on the current scene bemoans the increased violence, lowered ethical standards, and loss of civility that mark American society. Is the decline of religious influence no part of what is happening to us? Is it not just possible that antireligious bias masquerading as religious neutrality is costing more than we have been willing to acknowledge?

We should acknowledge those words of William Raspberry which are certainly true.

As the gentleman from Michigan [Mr. HOEKSTRA] pointed out, no one really knows what exactly is in this bill. But basically, to sum it all up, this bill is simply a last gasp at a failed big Government liberalism. It certainly could not pass in the next Congress and everyone knows that, so many are desperate to pass a bad bill at this time.

This rule and this bill should be defeated.

□ 1210

Mr. SOLOMON. Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. GOSS], our

final speaker, a distinguished member of the Committee on Rules, who toils in that committee year in and year out. He is about to get a hernia here from carrying this bill down to the well.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman for yielding me this time.

Mr. Speaker, I just wanted to try and hold this up. This is about \$1 billion a pound, just about \$1 billion a pound. If I put it down there and stand on it, I would be 8 feet tall. Anybody who stands on this bill in this Congress is going to be at least 8 feet tall. It is about 2 feet thick.

We are going forward again, succumbing to supposed pressures here of the calendar. We are bypassing an opportunity for common sense and rational thought.

Here we have a very highly complex bill that impacts directly on our children's schools, and yet we are rushing into passage of a 1,200-page conference report whose text only became available to Members yesterday afternoon.

Even the bill's authors could not know for sure how the intricate formulas for allocating limited Federal education dollars would play out in the different school districts. The best estimate I could get suggested serious repercussions in just my area of southwest Florida with three counties expected to lose something on the order of \$150,000, an unpleasant surprise.

Here we are flying headlong into this debate without all the facts and a clear picture of where this bill is going to take us.

Why? Chairman FORD gave two reasons, both equally troubling. The first was concern for the timetable of the other body, the threat that perhaps a few days' delay in the House would threaten the viability of these school programs. Well, I say nonsense, because I have read page 32 of the conference report, and the dollars are there. The guarantee is there to continue the program, so that just does not carry it.

The second point, the second reason, was that a few days' delay would give the public time to find out what was in the bill and start voicing their concerns by calling our offices. Imagine that the public were going to call their Representatives about this bill. Perhaps I have missed something, but I thought that was what democracy was supposed to be about.

I oppose the rule. I oppose the bill. I challenge every Member to respond to the question: What will this bill do to my district? Your constituents are going to ask that. Count on it.

Mr. Speaker, I ask unanimous consent that the Reading Clerk read the bill.

Ms. SLAUGHTER. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. PETE GEREN of Texas). Objection is heard.

Mr. GOSS. Mr. Speaker, who objected?

Ms. SLAUGHTER. I did, Mr. Speaker. Mr. GOSS. The distinguished gentleman from New York objected to the reading of the bill?

Ms. SLAUGHTER. Yes, sir.

Mr. GOSS. Thank you very much.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one other question to ask yourselves is what happens in your district if this bill does not pass.

Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Mr. Speaker, let me say to the earlier speaker, coming from Houston, I stood next to Akeem Olajuwon, and he could stand on it all he wanted, and he would not be 8 foot tall next to Akeem Olajuwon.

I am proud to serve on the committee, and I would like to thank the chairman, the gentleman from Michigan [Mr. FORD], and the subcommittee chairman, the gentleman from Michigan [Mr. KILDEE], for all of their work.

This bill has been read. The folks who are opposing this bill have had a year and a half to read this bill. We have had a year and a half of hearings here in Washington and all over the country on reauthorizing elementary and secondary education. We have spent time reading.

We have heard from our constituents, and again, we can read the bill, and I have read it, but it does not mean that you may be able to understand it just by reading it, because it does a great many good things.

Let me correct some of the fallacies we have heard this morning. This is more Federal control: by one of my colleagues on the committee. There is much less Federal control in this bill than any reauthorization bill that has come up.

Let me read the mandate section alone, the first time the conference committee has put this in an education bill: "Nothing in this act shall be construed to authorize any officer or employee of the Federal Government to mandate, direct, or control a State or local agency, education agency, or school's curriculum, program, instruction, or allocation, State or local resources, mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this act."

People have been asking for years, do not send us mandates unless you send the money. We are not doing it in this bill, and everyone who votes against this rule, votes to recommit, or votes against the bill, will be voting against that language. For the first time, we actually are not sending mandates without money.

This bill is one of the most far-reaching education bills we have ever passed in the 30 years of Federal funding.



Let us talk about the prayer amendment. This prayer provision in here is not what the House had, and I voted for the instructions for the House. But we could not get that in conference committee. But I will tell you what; Senator HELMS voted for this amendment that is in here on the floor. Senator HELMS did, and if I, as a Democrat, follow what Senator HELMS did in the Senate on prayer, I think I am probably in pretty good shape.

The people supporting the bill are a broad spectrum: education leaders, obviously religious leaders. That is why I encourage all of the Members to vote for the rule and ultimately vote against the motion to recommit.

Ms. SLAUGHTER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 230, nays 168, not voting 36, as follows:

[Roll No. 454]

YEAS—230

Abercrombie	Cramer	Hastings
Andrews (ME)	Danner	Hefner
Andrews (NJ)	Darden	Hilliard
Andrews (TX)	de la Garza	Hinchey
Bacchus (FL)	DeFazio	Hoagland
Baesler	DeLauro	Hochbrueckner
Barca	Dellums	Holden
Barcia	Derrick	Hoyer
Barlow	Deutsch	Hughes
Barrett (WI)	Dicks	Inslie
Becerra	Dingell	Jacobs
Bellenson	Dixon	Jefferson
Bevill	Dooley	Johnson (GA)
Billbray	Durbin	Johnson (SD)
Bishop	Edwards (CA)	Johnson, E. B.
Bonior	Edwards (TX)	Johnston
Borski	English	Kanjorski
Boucher	Eshoo	Kaptur
Brewster	Evans	Kennedy
Brooks	Farr	Kennelly
Browder	Fazio	Kildee
Brown (CA)	Filner	Kleczka
Brown (FL)	Fingerhut	Klein
Brown (OH)	Flake	Klink
Bryant	Foglietta	Kopetski
Byrne	Ford (MI)	Kreidler
Cantwell	Ford (TN)	LaFalce
Cardin	Frank (MA)	Lambert
Carr	Frost	Lancaster
Chapman	Furse	Lantos
Clay	Gejdenson	LaRocco
Clayton	Gephardt	Laughlin
Clement	Geren	Lehman
Clyburn	Gibbons	Levin
Coleman	Glickman	Lewis (GA)
Collins (IL)	Gonzalez	Lloyd
Collins (MI)	Green	Long
Condit	Gutierrez	Lowey
Conyers	Hall (OH)	Maloney
Coppersmith	Hamburg	Mann
Costello	Hamilton	Manton
Coyne	Harman	

Margolies-Mezvinsky	Pelosi	Stark
Markley	Penny	Stokes
Martinez	Peterson (FL)	Strickland
Matsui	Peterson (MN)	Studds
Mazzoli	Pickett	Stupak
McCloskey	Pickle	Swett
McDermott	Pomeroy	Swift
McHale	Poshard	Tanner
McKinney	Price (NC)	Tauzin
Meehan	Rahall	Taylor (MS)
Meek	Rangel	Tejeda
Menendez	Reed	Thornton
Mfume	Reynolds	Thurman
Miller (CA)	Roemer	Torres
Mineta	Rose	Torricelli
Minge	Rostenkowski	Trafficant
Mink	Rowland	Tucker
Moakley	Roybal-Allard	Unsoeld
Mollohan	Rush	Valentine
Montgomery	Sabo	Velazquez
Moran	Sanders	Vento
Murphy	Sangmeister	Visclosky
Murtha	Sarpalius	Volkmner
Nadler	Sawyer	Waters
Neal (MA)	Schenk	Watt
Oberstar	Schroeder	Waxman
Oliver	Schumer	Whitten
Ortiz	Scott	Williams
Orton	Serrano	Wilson
Owens	Sharp	Wise
Pallone	Shepherd	Woolsey
Parker	Sisisky	Wyden
Pastor	Skaggs	Wynn
Payne (NJ)	Skelton	Yates
Payne (VA)	Slaughter	
	Smith (IA)	

NAYS—168

Ackerman	Gilman	Morella
Allard	Goodlatte	Myers
Archer	Goodling	Nussle
Armey	Goss	Obey
Bachus (AL)	Grandy	Oxley
Baker (CA)	Gunderson	Packard
Ballenger	Hall (TX)	Paxon
Barrett (NE)	Hancock	Petri
Bartlett	Hansen	Pombo
Barton	Hastert	Porter
Bateman	Hefley	Portman
Bentley	Herger	Pryce (OH)
Bereuter	Hobson	Quinn
Bilirakis	Hoekstra	Ramstad
Bliley	Hoke	Ravenel
Blute	Horn	Regula
Boehlert	Houghton	Ridge
Boehner	Huffington	Roberts
Bonilla	Hunter	Rogers
Bunning	Hutchinson	Rohrabacher
Burton	Hyde	Ros-Lehtinen
Buyer	Inglis	Roth
Camp	Istook	Roukema
Canady	Johnson (CT)	Royce
Castle	Johnson, Sam	Santorum
Clinger	Kasich	Schaefer
Coble	Kim	Schiff
Collins (GA)	King	Sensenbrenner
Combest	Kingston	Shaw
Cooper	Klug	Shays
Cox	Knollenberg	Shuster
Crane	Kolbe	Skeen
Crapo	Kyl	Smith (MI)
Cunningham	Lazio	Smith (NJ)
Deal	Leach	Smith (TX)
DeLay	Levy	Snowe
Diaz-Balart	Lewis (CA)	Solomon
Dickey	Lewis (FL)	Spence
Doolittle	Lewis (KY)	Stearns
Dornan	Lightfoot	Stenholm
Dreier	Linder	Stump
Duncan	Livingston	Talent
Dunn	Lucas	Taylor (NC)
Ehlers	Machtley	Thomas (CA)
Emerson	Manzullo	Thomas (WY)
Everett	McCandless	Torkildsen
Ewing	McCollum	Upton
Fawell	McHugh	Vucanovich
Fields (TX)	McInnis	Walker
Fish	McKeon	Walsh
Fowler	Meyers	Weldon
Franks (CT)	Mica	Wolf
Franks (NJ)	Michel	Young (AK)
Gekas	Miller (FL)	Young (FL)
Gilchrest	Molinar	Zeliff
Gillmor	Moorhead	Zimmer

NOT VOTING—36

Applegate	Grams	Quillen
Baker (LA)	Greenwood	Richardson
Berman	Hayes	Saxton
Blackwell	Hutto	Slatery
Callahan	Inhofe	Smith (OR)
Calvert	Lipinski	Spratt
Engel	McCrery	Sundquist
Fields (LA)	McCurdy	Synar
Galleghy	McDade	Thompson
Gallo	McMillan	Towns
Gingrich	McNulty	Washington
Gordon	Neal (NC)	Wheat

□ 1235

The Clerk announced the following pairs:

On this vote:

Mr. Berman for, with Mr. Calvert against. Mr. Wheat for, with Mr. Quillen against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, on rollcall vote No. 454, I voted "aye" but the voting machine failed to register my vote.

PERSONAL EXPLANATION

Mr. GREENWOOD. Mr. Speaker, I was unavoidably detained in a meeting this morning, and unfortunately missed rollcall vote No. 454, the rule for consideration of H.R. 6, Improving America's Schools Act. Had I been present, I would have voted "nay."

MESSAGES FROM THE PRESIDENT

Secondary messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

CONFERENCE REPORT ON H.R. 6, IMPROVING AMERICA'S SCHOOLS ACT OF 1994

Mr. FORD of Michigan. Mr. Speaker, pursuant to the provisions of House Resolution 556, I call up the conference report on the bill (H.R. 6) to extend for 5 years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PETERSON of Florida). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, September 28, 1994, at page 26358.)

The SPEAKER pro tempore. The gentleman from Michigan [Mr. FORD] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Speaker, I ask unanimous consent to yield the majority's time to the gentleman from Michigan [Mr. KILDEE], chairman of the Subcommittee on elementary, Secondary, and Vocational Education, with authority for him to yield time to Members on our side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, H.R. 6, the Improving America's Schools Act of 1994, reauthorizes and improves most of the Federal programs providing assistance to elementary and secondary education. The majority of these programs are included in the Elementary and Secondary Education Act of 1965 and provide approximately \$11 billion of assistance to States and local school districts in the present fiscal year. The conference agreement contains numerous programmatic improvements and approves a new formula for the distribution of title I funds. While changes were made in the conference to the formula, it remains remarkably similar to the one originally passed by the House.

The major features of the formula are for fiscal year 1995, Mr. Speaker, we will continue to use the current law formula which includes both basic and concentration grants. For fiscal year 1996, we move to a two-part formula which will continue to use the current law formula for amounts up to the fiscal year 1995 level and a new weighted student formula for new money.

□ 1240

County allocations are also hold harmless in their fiscal year 1995 funding amounts. For fiscal year 1997 through 1999, we continue to use the two-part formula, with an 85-percent hold harmless.

The most a school district could lose because of shifts and changes in appropriations would be 15 percent. Updates of census poverty data will be available for counties in 1997 and for school districts in 1999.

A major feature of H.R. 6 is that Federal educational programs are refashioned so that they become an integral part of State and local reform efforts. H.R. 6 does this by providing more local flexibility, and that flexibility is due to a great extent to the good work of the gentleman from Pennsylvania [Mr. GOODLING], who has become "Mr. Flexibility" on the committee.

We also require greater accountability through the use of waivers allowing greater Federal program funds to be creatively combined to improve student achievement. In the past we never allowed that combination. The auditors would look over our shoulders. But

we do allow creativity to combine some Federal program funds.

This approach is one that has broad support across business, education, and civil rights groups. In fact, the types of reforms H.R. 6 supports are those most strongly supported by the business community. For example, for the first time the achievement of title I students is tied to high State standards. School-wide programs combine other Federal program funds with their title I funds for more coordinated programs serving all children.

We also have burdensome testing requirements replaced with a more sensible system based on State assessments, and it will be easier under this reauthorization for limited English-proficient students and disabled students to participate in title I programs.

But the heart of the legislation is to demand greater educational achievement in exchange for more freedom in the use of Federal funds. The whole bill can be summed up in two words—flexibility and accountability.

If educational gains are not achieved, the school districts are expected to help schools improve, and if there is still no success, then States are expected to intervene under State law to secure the results.

H.R. 6 is the most important reauthorization since the Elementary and Secondary Education Act of 1965 was enacted. By passing this legislation, the Congress will give a substantial boost to improving education for all children, including those who have too often been forgotten.

Mr. Speaker, I want to thank all the members of the Committee on Education and Labor and their staffs for the many hours of work that has gone into developing the bill before us today.

Mr. Speaker, on the committee we have had a wide range of support from both sides of the aisle in developing this bill. I want to thank, obviously, the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Wisconsin [Mr. GUNDERSON], particularly the gentleman from Pennsylvania [Mr. GOODLING] for his good work on the flexibility portions of this bill. He has been hounding us on that for several years, and I think we have achieved a great deal on this aspect in this bill.

Reaching perhaps further into the committee for a newer member, let me mention the gentleman from California, Mr. DUKE CUNNINGHAM. DUKE may be perceived by some as being right wing, but he has been one of the most really flexible and helping hands on the committee. I have found him to be a strong supporter of education. Obviously, from time to time DUKE CUNNINGHAM and I have disagreed, but he has always listened and he is flexible. He wants to accomplish something for education, and he has certainly been a good addition to our committee.

I also want to thank the administration both for the well-thoughtout reauthorization proposal and for the assistance they have provided throughout the process.

Mr. Speaker, I urge the adoption of the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I want to make it very clear, as I did during the debate on the rule, that my argument is with the rule; my argument is not with the legislation.

In my estimation, there was no reason under the Sun that we could not have 3 days to get the runs that we should as members of this committee to be able to show to all of our colleagues what happens in the third, fourth, and fifth years. I can tell them generally what happens. What happens is that we move the program from a program dedicated to the educationally disadvantaged to a program of poverty. That is embarrassing to those in poverty because what it is, I guess we are saying they do not have the smarts somebody else does, and that is nonsense.

The bill would mean that in the third, fourth, and fifth years, particularly the fourth and fifth, you could have a thousand students disadvantaged in your school district and because you have less than 2 percent and then 5 percent poverty, you get nothing. There is a hold harmless which goes down so rapidly that basically you get nothing. On the other hand, you could be a district over here with 500 students and you have 2 percent poverty and more, and you get the bucks. That is unfortunate.

Let me tell the Members what the difference is between the formula when it left the House and the formula as it is now. We have heard that there is very little difference. Yes, it is closer to ours, but let me tell the Members what the differences were.

We did not have a 2-percent cutoff of funds; we did not have a 5-percent cutoff of new money; we did not have new money being so targeted that people who have disadvantaged youngsters in relation to their academic preparation get nothing. We kick in to the LEA in 1996 rather than waiting until 1997. What does that do to a city like York, with 25 percent poverty? They get no concentration grants. Why? Because it is the county where we kick it in. We wanted to kick it in much earlier.

It was unfortunate in the discussion on the rule that somebody was trying to somehow or other blackmail people and say that if we did not do this, the end of the Earth comes today. Let me tell the Members that chapter 1 money is out there. Chapter 1 money is out there until July 1.

Let me also tell the Members that impact aid, as we read the report of the



Appropriations Committee, is out there. It is there. We make a big mistake in that we do not tell the people and all of our colleagues what is in the formula and what it is the formula does to them in the third, fourth, and fifth years. It is not the bill. We have wonderful staffers on both sides of the aisle. Members on both sides of the aisle spent a year-and-a-half perfecting this bill, and it is not the bill; it is the fact that we do not know whether any money is there or how much money we get in the out years.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I would like to thank Chairmen FORD and KILDEE for all their efforts to put forward this critical bill which authorizes \$12 billion for elementary and secondary education. This bill is the primary Federal funding bill for almost every school district in the country, and it must be passed.

I also want to thank the chairmen for working with me and Representatives SWETT and CASTLE to guarantee an appropriate level of funds for small States. I am delighted that Congress approved our amendment earlier this year that restored millions that had been cut from six small State education budgets.

Mr. Speaker, what that amendment is about is that it is not just big States that have educational funding needs. In my State of Vermont our people cannot afford higher and higher property taxes to fund education. Because this amendment is part of this bill and because the Federal Government is more adequately funding Vermont's educational needs, there will be less need for increased property taxes or State taxes in the State of Vermont.

The conference agreement on Improving America's School Act, H.R. 6, provides Vermont with \$14.5 million for its chapter 1 programs that assist low-income students. Vermont lost \$2 million of its chapter 1 funding this year and these funds will not only restore those losses next year, but will provide additional funding for low-income students in years to come.

□ 1250

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA], a member of the committee.

Mrs. ROUKEMA. Mr. Speaker, I rise with regret in opposition to this conference report. I supported this legislation when it was reported by our Committee on Education and Labor and when it was considered by the House of Representatives. I will not support it today—This bill needs work, a lot of it.

Let us be frank. The chapter 1 Program for disadvantaged students is

where the money is. By this measure, my State of New Jersey comes out behind. Oh yes, next year we will be allocating chapter funds as we did this year. And, in the following year, New Jersey loses a full 15 percent of its title 1 funds, followed by another 15-percent cut the following fiscal year.

In essence, the conferees have rejected a bipartisan consensus House formula in favor of a scheme that attempts to lull many of our colleagues and state and local school officials into a false sense of security. When the axe finally does fall, we will be only halfway to another reauthorization during which we could possibly revamp or fine-tune the formula to correct inequities.

We have heard for 2 years now that there is no "wobble room" in the formula because appropriations are so tight, because we don't have the money.

Will someone explain to me why then does this legislation establish 20 entirely new programs. Listen to the list: \$10 million for family support; \$1 million for Alaskan native education; \$10 million for Dollars for Scholars, and \$18 million for prisoner education grants.

And we know how that works in this town. These programs are planted—fertilized with some minor appropriations in the early years—and soon they sprout—sink deep, deep roots and grow its own strong constituency. Once that happens, no one will be able to cut them down.

Allow me to offer another example.

Tucked away in this legislation is a program to assist local school districts repair, renovate, or actually build schools. Anyone who has ever served on a local school board has wrestled with this issue. The House proposed a loan program for this purpose. Arguing against establishing a new burdensome loan bureaucracy, the Senate proposed a program of outright grants. So what's the compromise? Our conferees decided to do both—loans and grants.

And if that weren't bad enough, local officials could actually turn to this new Federal program for school construction dollars after voters/taxpayers may have rejected a local funding proposal.

Will we ever learn? We have a \$4 trillion national debt and yet here we are assuming funding responsibilities that have been and should be left to local communities.

Mr. Speaker, we should have used this reauthorization process for a hard-look review of every education program on the books. Fund the ones that work and eliminate all the rest.

Mr. Speaker, let me briefly express my concern regarding the so-called compromise on the "sex-related issues" in this legislation. When this bill left the House, it barred the use of funds in this bill for the promotion of homo-

sexuality. Unfortunately, the conferees developed a compromise that causes me great concern.

And finally we come to the issue of school prayer.

Mr. Speaker, when this legislation left this House, it contained clear language regarding the responsibilities of local school district officials on school prayer. H.R. 6 contained the Helms language which prohibited funds under this bill from going to States or school districts that have adopted a policy that prohibits individuals from participating in "constitutionally protected" prayer on a voluntary basis.

Let me repeat and clarify: To lose Federal funds under this act a school district must have adopted a policy that denies individuals the right to voluntary "constitutionally protected."

I would remind my colleagues that this is voluntary school prayer and would not force anyone to violate their religious rights or even participate in school prayer.

I would also remind my colleagues that this language was adopted 345 to 64 and later reaffirmed in a vote to instruct us—the conferees—by a vote of 369 to 55.

Mr. Speaker, I must take issue with my distinguished chairman, the gentleman from Michigan, a colleague who has contributed mightily to the quality of this Nation's education for so long. I will say that I will miss Chairman FORD but not before I say how I disagree with him on this issue.

The Helms language will not require the appointment of a "Federal prayer czar" to determine just what is "constitutionally protected prayer." And I cannot for the life of me fathom why Chairman FORD, a fierce fighter for the rights and prerogatives of the legislative branch, would hold that "the courts" should determine whether a local school district loses its Federal funds.

Mr. Speaker, this legislation needs work—a lot of it. We should start right now by adopting the motion to recommend to be offered by Mr. JOHNSON. Take this bill back to conference and begin work right here, right now.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the subcommittee chair.

Mr. Speaker, today I rise in strong support of H.R. 6, the conference report extending and improving Federal elementary and secondary education programs.

This is a vitally important conference report. It continues Federal programs that school districts rely on to help them teach our kids. Programs such as title I, impact aid, bilingual education, Indian education. Unless we pass this conference report today, 13,000 local school districts will lose \$11 billion in Federal education assistance.

My home State of Montana would lose \$25 million in title I funds alone. I don't know about your State, but the loss of \$25 million in education funding would be devastating to schools in Montana. I think most states would experience similar harmful consequences. We can't permit this to happen.

There have been a lot of rumors circulating around the Hill the past couple of days regarding this bill. Let me try to put a few of them to rest. First, this bill does not and will not affect home schools. For some reason there are some lobbyists out there who are trying to stir up dissent on this bill by talking about home schools. They did it before. We took care of their concerns. Now they're trying to do it again. Let me read to you what H.R. 6 says on this issue:

Nothing contained in this Act shall be construed to affect home schools.

We added this language when the bill was first before the House. We kept this language in conference.

H.R. 6 further says:

Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State Law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under this Act.

We added this language, which was offered by Mr. ARMEY on the House floor at the request of the national group representing home schools. We've kept this language in the conference report. H.R. 6 is clear: It does not affect home schools.

There have been rumors circulating that H.R. 6 is bad for rural schools. That just is not so. H.R. 6 helps rural school districts more than the original House-passed bill did. It helps them more than the Senate-passed bill. H.R. 6 also contains my Rural Schools of America Act, a bill that most members of the Rural Caucus have co-sponsored. H.R. 6 helps rural kids. To say otherwise is to ignore the facts.

For those of you who have military bases or Federal installations in your districts, H.R. 6 continues and improves the Impact Aid Program. And it does so by adopting the recommendations of the folks back home who run the Impact Aid Program.

For my colleagues from the West and Midwest who have Native American populations, H.R. 6 continues and improves Indian education programs. And for the first time Indian Schools, under H.R. 6, are given a fair chance to compete for Federal education dollars. H.R. 6 helps Indian schools. And as my colleagues know, these schools are probably the schools in our Nation that are most in need of help. With H.R. 6, these schools will benefit.

For all of my colleagues who want to help schools in their districts deal with

the massive problems of deteriorating school facilities, H.R. 6 provides an answer. It authorizes a facilities improvement program, and funding for that program has included in the fiscal year Education appropriations bill.

H.R. 6 is a good bill that deserves all of our support. It has programs that will help our schools come to grips with the technological revolution that is occurring in our world. It provides some help to school districts that want to upgrade the skills of their classroom teachers. It gives some assistance to schools that want to try some ways of teaching our kids better. And it begins to take some important steps to make sure that American students are once again the best in the world.

In closing, I urge my colleagues to vote for this bill and reject any attempt to kill this important legislation. What we're experiencing today, and what we saw yesterday, should alarm the American people. Yesterday we began to see our colleagues on the other side of the aisle begin to flesh out their "Contract with America." Yesterday we saw their leaders oppose lobbying form. To say they are trying to kill Federal aid to education. What the American public is now seeing is what this so-called Republican contract is all about, and they are beginning to see that the downpayment on that contract is an effort to defeat this legislation to benefit America's children.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MILLER], a member of the committee.

Mr. MILLER of Florida. Mr. Speaker, 2 years ago I ran for Congress because I was mad about runaway Federal spending and runaway deficits. Now I am even madder. The American people are right when they sense that we are dealing with a broken process. And H.R. 6 is a perfect example of what is wrong here in Washington. First, the House passes a bill and loads it down with pork. And then when it comes back from conference there magically appears over 20 new programs.

When the House considered H.R. 6 this spring, I focused on removing 1.8 billion dollars of excess pork programs. Now, the conference report on this legislation includes the \$1.8 billion of pork programs plus over 20 brand new programs adding another \$1 billion.

Next, I object to the endless stream of Federal mandates in this legislation. The Federal Government only provides 6 percent of education funding in this country. That is a limited investment and therefore we should provide limited input. Why can we not trust the local school boards and local principals to find solutions best suited to their children? Who in this body really believes that Washington politicians—5 weeks before an election—have better solutions for the challenges facing Bradenton, FL or Spokane, WA?

Let me give you just one example. When this legislation left the House there was a compromise provision that required local school boards to develop a policy about disciplining children who bring guns to school. The sensible compromise gives local communities the flexibility to address the problem. Incidentally, all the major education agencies across the Nation objected to the Senate's intrusive language: National School Boards Association, National PTA, National Association of Elementary School Principals.

But now, for purely political purposes, the bill mandates that every school have the exact same policy automatically expelling any student for 1 year who brings a gun to school. Every Member in this body wants to keep guns out of schools. But there are a lot of Members who believe the local principals and school boards are more capable to solve the problem than two Senators running for reelection. The Federal Government is not the local school board.

Oppose this conference report.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I want to congratulate and thank the gentleman from Michigan [Mr. KILDEE], chairman of the subcommittee, for the 2 years of hard work that he has put in on bringing this reauthorization to the floor. I want to thank the gentleman from Michigan [Mr. FORD], chairman of the committee, for his masterful leadership of the negotiating team between the House and the Senate. I also want to thank all staff who worked on this bill, including my own.

The primary objection that is being raised today concerns the possible future reductions in some districts, in that they will be held harmless and everybody will receive the same, no less than the amount of money they received previously or they presently have for the first and second year, but they are worried about future years.

There is a simple remedy to this perceived problem: Increase the funding for education and extend the hold harmless provisions permanently. All districts in America can make good use of Federal funds for education. We have all too few funds available now. Let us make a contract with the children of America. Let us make a contract with the students of America. The power is in our hands. The power is in the hands of this body to increase funding for education with a proviso that "hold harmless" will be there forever for those districts that are in danger of losing money 3 or 4 years from now.

□ 1300

We need a great increase in our Federal commitment to funding for education. We can take the money simply out of the intelligence budget, the CIA,



and intelligence budget, that Aldrich Ames agency that everybody admits is a corrupt racketeering body at this point that could use some reduction. They could be reduced in size and still they could do as much as they are doing now, I assure my colleagues. So from the intelligence community, which is obsolete, let us move the money into the intelligence community which is vigorous and ongoing and really the future of America, the intelligence community of public schools. Let us move forward. The power is in our hands. Let us make a contract with the schoolchildren of America. We can increase funding and everybody can be held harmless forever.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. GUNDERSON], a valued member of the committee.

Mr. GUNDERSON. Mr. Speaker, I think it is most unfortunate that the atmosphere this afternoon has taken on the sense of confrontation it has because it has destroyed what has been probably the best education Congress in the history of this Nation in terms of what we have accomplished, from Head Start to Youth Apprenticeship to National Service, to Goals 2000. It has also, I think, caused some confrontation that is most unfortunate when we are dealing with the very justified and appropriate tributes that first and foremost the chairman of our full committee, the gentleman from Michigan [Mr. FORD], ought to have for his long career and commitment to education. And also a special tribute, I think, goes to the lead democratic staffer on this bill, Jack Jennings, who was also a staffer during the first ESEA authorization.

So I very much regret the atmosphere that has come forth today, but I have to tell Members that sometimes we have to stand up for the school back home. And unfortunately, in the last minutes of the conference, we took a very, very good bill in a number of areas and we made some mistakes. We decided that the Chapter 1 program, which is meant to be a program to fund education for educationally disadvantaged students, and we chose to, in essence, make it a poverty program.

I just received, literally 5 minutes ago, the latest run I have seen which compares what many of my rural schools would get in 1999, under the current law formula and under the formula that we have adopted. Small schools being told, like Blair, WI, that they are going to be losing \$14,000 in their Chapter 1 allocation. Another small school, Alma, that only gets \$37,000, being told that literally they are going to have almost a 10-percent reduction in their Chapter 1 funds. Frankly, the school of my Democratic opponent in the November election, Amery, WI, is going to lose \$27,000 under this new formula. And the list goes on.

I just bring that up to Members because I really wish that we would have found a way for every Member to get the data to know what they were voting on. The House Chapter 1 formula was a compromise formula and we should have stuck to that.

Having said that, I want to point out, as the chairman of our subcommittee and as the gentleman from Pennsylvania [Mr. GOODLING], our ranking Member have done, there are an awful lot of good things in this bill that are being lost as a result of this.

We have been able to reauthorize and make positive changes in Chapter 2. I am proud to say we have included the authorization for the 21st Century Community Learning Centers, a program that I authored because I think we must understand, it is this reauthorization that designs the educational delivery system for the 21st century. And very frankly, in a high technology interactive age of lifelong learning, we need to totally rechange the thinking and definition of how we educate not only children but adults in our community schools.

So there are many, many good things in this bill. I regret that we have had this one formula fight, which has destroyed all of those good things.

Mr. KILDEE. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. CUNNINGHAM], a good friend of education.

Mr. CUNNINGHAM. Mr. Speaker, this bill has good, bad and ugly in it. And I think that when we look at any bill, we need to take a look not only at the needs of the country but an economic model. Will the bill pay for itself? Well, I think that, yes, this one will. We could make it more cost effective, but the bill, in my opinion, does pay for itself. Let me explain.

The Chapter 1 funds that the gentleman from New York was talking about, in California we have large numbers of educationally disadvantaged students. Let us take a child that is disadvantaged and let us put him through the sixth or seventh grade. If he is not brought up to speed, then he is going to be far behind. And large numbers of these children are dropping out of school every single day.

That same child, if we educate him and give him an incentive to where he can get a job at the end of school, also has an impact on crime prevention. Education is a very good crime fighter. It does not belong in the crime bill, but it is a good indicator.

So the point is, if we can teach that child, at the end of that time period, he is going to have an advantage. He is less likely to get involved in crime. So it is "pay me now a little bit or pay me a lot later." I think that is important.

The last speaker, the gentleman from Wisconsin [Mr. GUNDERSON], talked about the child nutrition program that we sponsor. A child that is healthy is

going to learn a lot better. The DARE Program keeps our kids out of the drug infested areas and at least gives them an opportunity—that saves money.

I remember the teacher that wrote President Bush a letter that had 15 misspelled words in it. We need an upgrade of our teachers and our programs. The Eisenhower Grant Program, has been reauthorized in this bill. It not only improves students chances for learning, but it improves the teachers as well.

What about California? California has lost money for the last decade, why? Because the Chapter 1 funds are based on census, old 1980 census, before this bill. We had a 38 percent increase in poor children and the northeast States were stealing California's money. Under this formula, all the schools, all the California schools are under current law. The second year they are held harmless. The following year, there would be a 1997 update in our census on a county level, and in 1999, an update at the LEA level. So the California schools are going to benefit under this bill. I would tell my Californians, conservative, moderate, that this bill pays for itself.

There is an economic model to it. If Members look at the programs, like Eisenhower math and science, we are the ones on this side of the aisle that keep talking about how we want greater math and science in the schools. We want increased high tech education into our schools.

So, Mr. Speaker, I would ask my colleagues to seriously think about an economic model of this bill.

I also understand there were a lot of areas that do not gain under this bill, especially in title 1, with the formula. I understand those Members and their discontent.

For the State of California, I would like to thank my subcommittee chairman, the gentleman from Michigan [Mr. KILDEE], the gentleman from Michigan [Mr. FORD], and the gentleman from Pennsylvania [Mr. GOODLING], who has fought for the rights of schools. And for the disagreement, I am sorry.

As a conferee on the Improving America's Schools Act, I have watched firsthand the contentious debate surrounding many of the programs in this reauthorization.

I am not pleased with all aspects of this bill.

When we started this reauthorization the goal was to consolidate programs—we ended up with 18 new programs.

Language regarding sex education and prayer in schools can be improved and strengthened.

And while I wholeheartedly support parental involvement and professional development I do not believe set-asides are necessary.

As usual, there is simply too much Federal bureaucracy.

But in all fairness, we have also made many achievements.

We were able to give more schools the ability to go schoolwide by lowering the poverty

rates to 60 percent in the first year and 50 percent thereafter. This allows almost twice the number of schools the ability to combine funds from all ESEA programs and benefit the entire school and raise achievement for all students.

There are waiver provisions that give schools more flexibility in operating ESEA programs.

There are standards and assessment provisions in title I that are designed to raise academic standards for title I children.

Additionally, there were several significant changes to the education impact aid program. This program is vital to school districts like those in San Diego that are heavily impacted by Federal property.

Most importantly to California: In the past 13 years, California has had to operate title I programs based on funds from the 1980 census from 1980 to 1990 my State had a 38 percent increase in poor children. Educationally disadvantaged children who are supposed to be served under the title I program were being shortchanged.

Throughout this reauthorization, one of my top priorities has been to update census data more frequently so these shortchanges would never happen again, in any State.

In this bill we have finally achieved those updates.

Under the title I formula—California finally gets its fair share.

These are not insignificant gains. Title I will provide over \$720 million to California schools next year.

The new title I formula is responsive to the reality and needs of California school districts and to those in San Diego County. It will increase overall funding, target money to students and districts with the highest need while addressing the needs of poverty in our suburban districts as well.

Because of the updating of decennial census poverty data and the gains for the State of California—I rise in support of the conference report.

□ 1310

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since the Eisenhower Program is one I put in a long time ago and it got all messed up in this particular authorization, that is why I was not singing its praises.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. BARRETT], a member of the committee.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman from Pennsylvania, the ranking member, for yielding time to me.

Mr. Speaker, I rise in opposition to the conference report on H.R. 6 because it contains too many new programs and new bureaucrat demands on school districts. So much for change in education.

This bill contains 20 new programs—including 1 to get the Federal Government into the business of building schools. So much for local control of education.

It dictates to schools that they must use 1 percent of their chapter I funds

for parental involvement. So much for local control of education—we cannot even trust the school boards to use 1 percent of chapter I money.

It dictates that 10 percent of chapter I funds over 2 years be used for professional development. So much for local control of education.

It creates an entirely different Eisenhower Science and Math Program, totally focused on professional development. So much for local control of education.

Mr. Speaker, it appears to me that instead of making changes for the better—to give schools more flexibility to address their own needs—the conference report maintains business as usual. More mandates, more mandates, and more mandates.

So much for local control of education.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. Mr. Speaker, I rise in support of the conference report for H.R. 6, the Improving America's Schools Act.

H.R. 6 is the culmination of months and months of hard work. Committee members and staff have invested many long hours in this bill. I commend our chairman, BILL FORD, and subcommittee chairman, DALE KILDEE, for their outstanding leadership on H.R. 6.

In many ways H.R. 6 is one of the most important pieces of legislation this House will consider this session. H.R. 6 will provide assistance to our schools; assistance our schools need to provide a solid education to this country's future—our children. If our children do not receive the tools they need now, not only will they suffer, but this country will suffer.

H.R. 6 provides \$11 billion in education aid annually for 13,000 local school districts. Without this bill, this money will not be available for our schools. H.R. 6 provides funding for the disadvantaged in this country. Without this bill, they will not receive the extra help they need. H.R. 6 provides a professional development program, continues the chapter 2 block grant program, includes a safe and drug-free schools provision, and does much more. Unless we support H.R. 6 today and vote "no" on the motion to recommit, none of this assistance will reach our schools. And our schools cannot afford for this bill to fail.

I urge my colleagues to vote "yes" for education, "yes" for H.R. 6 and "no" on the motion to recommit.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. HOEKSTRA], a member of the committee.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would like to bring two points to the attention of the

House. No. 1, we have just approved a rule that says we are considering 1,200 pages of legislation that most of us do not have a copy of, none of us have had the opportunity to read, and we know at the grassroots level nobody has had the opportunity to see what is in the bill.

There is a different way to do it. In the next Congress, when we have a new set of rules, we will make this information available on the information superhighway, so that not only will the Members of Congress have the opportunity to review legislation, but citizens all around the country will actually finally be able to see what goes on in this House of Representatives, and what is actually contained in the legislation that we are debating. The light will shine.

Mr. Speaker, let us talk about another piece of specific action in this program today, great intent. We "recognize that worker participation and labor-management cooperation in the deployment, application, and implementation of advanced workplace technologies make an important contribution \* \* \*." What a brilliant revelation by our Committee on Education and Labor.

Mr. Speaker, reading this, we would get the sense that the mentioned workplace activities so praised and aspired to, we would actually believe that they were legal. Let me say, this is not the case in the vast majority of circumstances. The kinds of programs authorized by the Workplace Technology Skill Development Act are in many, and in perhaps most cases, illegal under current interpretations of our arcane labor laws.

Mr. Speaker, unfortunately, title V, section 541 of the bill assumes that these ideals can only be achieved if we spend money on them and we create a new government program, so it authorizes grants to nonprofit organizations to disseminate information, provide technical assistance, conduct research, develop training programs to achieve a high-skilled, highly involved workplace.

Where has the Committee on Education and Labor been? Businesses all around the country have been doing this kind of work. They are moving in this direction. They do not have to be told to do this by the Federal Government.

Once again, Mr. Speaker, we in Washington are behind the curve. We are not even in the wake of what is going on in the American workplace. There is something that the Government can do. We can achieve high involvement workplace by getting out of the way. The source of the problem is a little-known provision in the National Labor Relations Act. It prohibits employers from dominating labor organizations.

Mr. Speaker, what we need to do is, we need to go back and we need to address our labor laws. We need to stop



putting these kinds of programs, these kinds of dollars, into another educational program. Congressional action here ignores the problem. We are the problem. Let us amend the NLRA.

Mr. KILDEE. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Speaker, I thank the gentleman for yielding time to me, and I thank the chairman of the subcommittee who brought this piece of legislation to the floor.

Mr. Speaker, I rise to enthusiastically support the conference report, and to thank the gentleman from Michigan, BILL FORD.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. SAWYER. I am glad to yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, not to be confrontational, but for my own information, I would like to engage in some serious information-getting here on my part as it regards the prayer in school amendment that I voted for, and it passed this House on two or three occasions, the amendment of the gentleman from Texas [Mr. SAM JOHNSON].

Mr. Speaker, what I want to know is this. I am a little bit confused on the motion to recommit as it affects the local jurisdictions of our elected school officials, or appointed, whatever they might be. What I want to know is, whichever way we go, either whether it is recommitment or the Kassebaum language that is in this bill, I want to understand, so I can tell constituents in a halfway literate way when they call, whichever way we go; are we still going to have some language as it relates to constitutional prayer in the schools? I would yield to anybody who would like.

Mr. SAWYER. Mr. Speaker, inasmuch as it is my time, I would be pleased to respond to the gentleman's inquiry with regard to the question of whether the conference report protects the right to constitutionally protected prayer.

The answer is, absolutely it does. The conference report includes the Kassebaum amendment from the Senate, which requires the cutoff of funds if a school district curtails constitutionally protected prayer.

Mr. SAM JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. SAWYER. I am pleased to yield to the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would be happy to do a colloquy with the gentleman. It was said on the conference committee that Mr. HELMS supported the Kassebaum language, and he has told me, and I have a letter from him, that he does not, absolutely burden of proof under that language to ever reach the point where you would protect prayer in the school, because you have to go to court twice.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SAWYER. I am pleased to yield to the gentleman from Michigan.

□ 1320

If the gentleman will look in the first row of Senators, he will see HATCH, HEFLIN, HELMS, HOLLINGS, HUTCHISON. The Senator from North Carolina [Mr. HELMS] indeed did vote for the language that we accepted. And that was represented to us by the Senators in the conference.

Mr. SAM JOHNSON of Texas. Mr. Speaker, if the gentleman will yield, that was after the Helms amendment was defeated.

The SPEAKER pro tempore. The gentleman from Ohio controls time and must yield time.

Mr. HEFNER. Mr. Speaker, if the gentleman will yield further, all I want is for my own edification here, I do not mean to draw any individuals into this debate. I just want to make sure that whatever takes place, if this bill becomes law, that we are going to have the constitutional prayer amendment in the legislation.

Mr. SAWYER. Mr. Speaker, the answer to the gentleman's question is absolutely yes.

Mr. Speaker, I reclaim my time.

Mr. HEFNER. Sure. I just wanted that information.

Mr. KILDEE. Mr. Speaker, will the gentleman from Ohio [Mr. SAWYER] yield back to me for a moment?

Mr. SAWYER. I would be pleased to yield to the gentleman from Michigan.

Mr. KILDEE. Mr. Speaker, as chairman of the subcommittee, I reiterate what the gentleman from Ohio has told the gentleman from North Carolina. He is absolutely correct.

I would also say this on a personal note. I have prayed every day of my life since I was 3 years old, every day. That included prayers when I was a public school teacher privately in the public school. I would say a prayer before I entered every classroom and that was constitutionally protected and will be protected under this. That was in my private prayer. That prayer is always constitutionally protected and this bill does that. I did that as a teacher and I do not want anyone to be deprived of their constitutional rights to pray on their own in a public school.

Mr. HEFNER. Mr. Speaker, I thank the gentleman.

Mr. SAWYER. Mr. Speaker, I particularly want to take a moment to thank the gentleman from Michigan [Mr. FORD] who really did an extraordinary job on this piece of legislation. He was there when the historic measure that underlies all of this was passed in 1965 and he has this year presided over the most fundamental progressive reform since it was first enacted. The principal thrust of this really goes to the heart of what we believe most deeply about education, that it will rise the achievement levels of edu-

cationally disadvantaged students. This bill assumes that disadvantaged students can excel if they are exposed to a rigorous curriculum and well-trained teachers. We have heard any number of people talk about the provisions of the bill, the ability to target funds more precise over time, to respond to changes in population, and to be more exact about where those populations lie. That kind of change will benefit school districts all over the country. It provides for an enhanced professional development program. It is modeled on the highly successful math and science teacher training programs of recent years and expands them into all of the core subject areas. It provides for technology in the classroom, where the technology levels in the American classroom lag behind the fast-food industry in some uses of information technology.

For the first time since 1965, this bill reflects the reality that the old chief modalities of teaching and learning, the teacher, the chalk board, the book, are being superseded by a world of information that can break the logjam of pupil-teacher ratios and overcome the isolation of classrooms. This measure is a major step forward.

The gentleman from Michigan suggested earlier that somehow this was in conflict with the goals of American business. I have received just a moment ago a letter from the National Alliance of Business, the Chamber of Commerce of the United States, the Committee for Economic Development, and the American Business Conference, all in strong support of H.R. 6 and call for its immediate enactment. The work that has been done among the religious community is every bit as compelling. The letter that we just received from the Baptist Joint Committee representing a broad range of Baptist denominations in the United States, commenting that they have followed the debate on H.R. 6 and particularly the Duncan-Johnson amendment concerning prayer in the public schools. We opposed that amendment because it was unnecessary and would have forced school administrators and teachers to become constitutional scholars and would have potentially encouraged violations of the Constitution. It is our position that the Kassebaum amendment contained in the conference report solves many of these problems and is the better approach.

In short, let me just suggest, Mr. Speaker, that the work that has been done on this bill represents a coming of full circle, the passing to another generation of the kind of leadership that we have seen from the gentleman from Michigan [Mr. FORD] and carried on by the gentleman from Michigan [Mr. KILDEE] that will move now into another generation of students who will benefit enormously.

Mr. Speaker, I rise today in strong support of the conference report on H.R. 6, the Improving American Schools Act of 1994 and to offer my tribute to the distinguished chairman of our committee, BILL FORD, who will leave this institution at the end of this year with many significant accomplishments. I can think of none with greater importance to our Nation than the Elementary and Secondary Education Act of 1965. I should point out to my colleagues who are not privileged to serve on the committee that BILL FORD served on the Education and Labor Committee when this genuinely historic measure was signed by President Johnson and will leave after presiding over the most fundamental and optimistic redesign of its entire mission since it was enacted.

The principal thrust of this measure is to help schools raise the achievement levels of educationally disadvantaged children. That has not changed. What has changed is the assumption that disadvantaged children cannot perform to the same high academic standards that other children do. They can. Children with well-trained teachers with access to rigorous and innovative curriculum can excel.

I would like to take a minute to point out several important changes in the bill. First, we will be able to target assistance to educationally disadvantaged children under title I more precisely because the distribution of funds will be based on poverty data which are updated over time. Currently, the Census Bureau only measures poverty below the national level every 10 years. But throughout the decade between censuses, the incidence of poverty is changing and shifting among States and communities. By measuring poverty every 2 years, first at the county and then at the school district level, we can ensure that title I dollars flow continuously to the children that need the most help, while avoiding the disruptive effects of huge shifts in funding allocations after each decennial census.

H.R. 6 also contains important new tools for teachers and students. Title II of the bill establishes a new teacher training program modeled on the highly successful Eisenhower Math and Science Professional Development Program. This new program provides national leadership and resources but grants absolute freedom to classroom teachers to design their own plans for professional development activities based on local needs. A one size fits all approach to teacher training will not work. The new Eisenhower Professional Development Program recognizes that teachers are the single most important factor in opening the world of learning to students at the same time that it acknowledges that the most effective teacher training programs are locally designed by classroom teachers.

But make no mistake about it, if students are going to meet the growing requirements of the information age, they need the appropriate tools. We cannot allow American education to lag behind the fast food industry in the use of information technology. For the first time, this enactment will reflect the reality that the days when the chief modalities of teaching and learning are a teacher, a chalkboard and a book are over. This conference report authorizes \$200 million for grants to create partnerships with local schools, private industry, col-

leges, libraries and others to integrate educational technology into classroom. Again, the central recognition here is there is no one right way to pursue this goal.

Again, Mr. Speaker, I would like to commend my subcommittee chairman, DALE KILDEE, and my full committee chairman, BILL FORD, for their forceful leadership. You both should feel a great deal of pride. Finally, I want to thank the staff on both sides of the aisle for the prodigious effort that this measure represents.

I urge my colleagues to support this conference report.

Mr. Speaker, I include for the RECORD the letter of September 30, 1994, from the National Alliance of Business and the letter of September 30, 1994, from the Baptist Joint Committee, as follows:

BUSINESS SUPPORT FOR ELEMENTARY AND  
SECONDARY EDUCATION ACT

SEPTEMBER 30, 1994.

Hon. WILLIAM D. FORD,  
*Chairman, Committee on Education and Labor,  
House of Representatives, Washington, DC.*

Hon. WILLIAM F. GOODLING,  
*Ranking Minority Member, Committee on Education and Labor, House of Representatives,  
Washington, DC.*

DEAR CHAIRMAN FORD AND CONGRESSMAN GOODLING: The undersigned business organizations urge all members of the House to give the Improving America's Schools Act, H.R. 6, their full support. We believe the enactment of this reauthorization of the Elementary and Secondary Education Act (ESEA) is essential before Congress adjourns. Additionally, we believe the successful implementation of the Goals 2000: Educate America Act and the building of a globally competitive workforce is contingent on the passage of ESEA.

Although we recognize that individual members may have concerns with specific provisions, including the Title I formula, we believe that on balance H.R. 6 makes a significant contribution to supporting systemic education reform efforts across the country. The alignment of ESEA with Goals 2000 provides this country with a real opportunity to implement comprehensive systemic education reform in every state and local community by providing additional incentives and resources for states and communities to adopt the principles contained in Goals 2000—high standards for all students, first rate professional development, and unprecedented flexibility to design and operate educational programs.

Enacting ESEA in a timely manner will ensure that all students, even the most disadvantaged, are held to the same high standards encompassed in Goals 2000. Without the enactment of ESEA there will be unnecessary delay in all communities being able to fully participate in Goals 2000 efforts as poorer districts and states struggle to assemble the resources necessary to implement reforms. In sum, passage of ESEA will help ensure that the objectives of Goals 2000 become a reality.

ESEA passage will guarantee that for the first time in this nation's history there will be a comprehensive framework and the appropriate federal incentives to support widespread systemic reform efforts. As the recently released 1994 National Goals Panel Report indicates, this country can not wait any longer to implement these efforts without risking significant setbacks in edu-

cational progress. We urge you to put partisan differences aside and pass ESEA to help support the long term educational progress and economic security of our nation's future workforce.

We commend the House Committee on Education and Labor for its leadership and persistence in the development and passage of the ESEA, and we urge its swift passage.

Sincerely,

National Alliance of Business, Chamber of Commerce of the United States, Committee for Economic Development, American Business Conference.

BAPTIST JOINT COMMITTEE,

Washington, DC, September 30, 1994.

DEAR REPRESENTATIVE: The Baptist Joint Committee serves the below listed Baptist bodies on religious liberty and church-state issues.

We have followed the debate on HR 6 and particularly the Duncan-Johnson amendment concerning prayer in the public schools. We opposed that amendment because it was unnecessary, would have forced school administrators and teachers to become constitutional scholars, and would have potentially encouraged violations of the constitution. It is our position that the Kassebaum amendment contained in the conference report solves many of these problems, and is the better approach.

Accordingly, we support the conference report with regard to the prayer issue and oppose a motion to recommit.

Yours very truly,

J. BRENT WALKER,  
*General Counsel.*

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, when Congress tells you a bill is going to make Federal education programs better, less bureaucratic, more flexible, and increase the involvement of parents, as opposed to merely helping the teachers' unions—I would advise you to read the fine print.

And when the chairman of the Education and Labor Committee, at the last minute, produces an alarming letter from the Education Department claiming that all Federal education funding will simply end at midnight tonight if you don't vote "yes" on an authorization bill today, a bill which has been rushed to the floor with hair-curling haste—I would advise you to watch your wallet.

Lack of authorization has never stopped us from funding anything before. Why would it stop us now? The truth of the matter is the world will not end if we do not pass this bad bill. Slowing down this high-speed train would merely give members and their constituents more time to find out what is really in this bill. Which may explain its authors' sense of urgency.

There are abundant reasons to oppose this bill, but for time's sake, let me point out just one. The bill says that if you want to protect your child's right to pray voluntarily in a public school, you have to go to court not once but



twice to vindicate your child's first amendment right.

First, you must get a court order against the school district. And then you must go back to court to prove the school district "willfully" violated the order. The burden of proof is on you, the parent, to prove your rights are being violated.

But with obscene art, it is just the opposite. A law we passed in 1991 says that if an artist creates obscene art with your tax dollars, the burden is not on the artist, but on the Government to prove the artist has abused taxpayer money.

Now I ask you, which deserves more protection—a schoolchild's right to pray, or an artist's right to offend us with our own money?

Incidentally, we are being told it is OK to vote against this motion to recommit because Senator HELMS voted for the prayer language in the bill. Well, I have here in my hand a copy of a letter from Senator HELMS, dated today, which makes it absolutely clear that Senator HELMS strongly opposes the language in this bill. The Senator voted for the so-called Kassebaum language only because his own much stronger language was already in the bill and superseded KASSEBAUM'S. When the conference committee removed the Helms language, that changed everything. So to repeat, Senator HELMS does not support this language. He vigorously opposes it. And so, I might add, should the 350 Members of this House who have voted for the Helms-Duncan-Johnson language on not one, not two, but three separate occasions this year.

I will insert Senator HELMS' letter in the RECORD following my remarks.

If some Members' votes on school prayer today do not square with their previous three votes, I would love to be there when those Members have to explain to their constituents why school prayer mattered so much to them that they were willing to vote for it, and vote for it, and vote for it—right up until the moment their vote actually counted.

This is a bad bill. The world will not end if we take a little more time to get it right. And I would suggest prayer deserves at least as much protection as obscene art. Vote "yes" on the motion to recommit.

Mr. Speaker, I include Senator HELMS' letter for the RECORD, as follows:

U.S. SENATE.

Washington, DC, September 30, 1994.

DEAR COLLEAGUE: Which deserves more protection, a student's right to pray in school or an artist's right to create obscenities at federal expense? Well, if you vote against the motion to recommit the H.R. 6 conference report—in order to change its language on school prayer—you will be voting to provide more legal protection for obscene artists than for students who want to pray at school.

As a result of 1991 reauthorization language, which is still law [20 U.S.C. 952 (j-1) &

954 (1)], the National Endowment for the Arts (NEA) cannot stop an artist from creating obscene art with a discretionary federal grant unless the Government first takes the artist into federal court and gets a final judgement that the art is legally obscene. However, under the H.R. 6 conference report, any teacher or local school official can stop any child from voluntarily praying at school unless the STUDENT takes the GOVERNMENT to court and gets an order saying his prayer is constitutionally protected.

Is that really the way we want the law to read: that a student is not free to pray at school until he takes the government to court, but an artist is free to be obscene—at federal expense—unless and until the government takes him to court?

Furthermore, under the Kassebaum school prayer language as adopted by the conferees, even after a student pays to go to court and vindicates his or her constitutional right to pray, the officials and the school that violated his rights are not penalized at all unless they violate the trial court's order. And before justice is given, it is up to the student to pay for another trial to prove not only that they violated the order, but that they willfully violated it—an almost impossible burden of proof.

It is clear that the school prayer language in the H.R. 6 conference report is—and was meant to be—an impossible hurdle for students to overcome before school officials could be compelled to let the students engage in voluntary, student-initiated prayer.

Student-initiated prayer should be treated the same as all other student-initiated free speech, which the United States Supreme Court has upheld as constitutionally-protected as long as it is done in an appropriate time, place, and manner such that it "does not materially disrupt the school day." [*Tinker vs. Des Moines School District*, 393 U.S. 503.]

We urge you to vote yes on the motion to recommit the conference report on H.R. 6 to compel the conferees to add the House passed school prayer language so school prayer will be treated at least as well as Congress has treated legally obscene art.

Sincerely,

SAM JOHNSON.  
JESSE HELMS.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. SAM JOHNSON].

Mr. SAM JOHNSON of Texas. Mr. Speaker, we have discussed this and discussed this, and I cannot believe that we have voted 3 times on it and the last vote being 369 to 55, that we have conferees who cannot carry out the will of the House. Here is a list of all of them, including some of our leaders who have been talking against it.

This is no protection for prayer in school. In fact, it provides hurdles.

□ 1330

The Christian Coalition says the language currently in the report replaces such hurdles on aggrieved individuals whose constitutional rights to school prayer have been violated. For all intents and purposes it is meaningless. It means that someone has to take a case to court twice in order to protect the privilege of the voluntary right to pray in school.

I want to reiterate our First Amendment to the Constitution. "Congress

shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." We are prohibiting it really by the language in the bill today my making them go to court.

I would also like to share a letter that I got yesterday from an 11-year-old girl in my district, Erin Small. She said, "A topic that I've always had on my mind was that topic of prayer in schools. It has always bothered me that on our dollar bills and coins it says 'In God we trust' but in our schools we are not allowed to pray."

There are many organizations that support the House language as did the House, the Christian Coalition, American Family Association Foundation, Concerned Women of America, Eagle Forum, Family Research Council, Traditional Values Coalition, just to name a few.

The real issues here, what are they? Fear, real or imagined, that a strong, moral influence may once again be legally acceptable during our school children's days requiring open and honest discourse between people of differing backgrounds.

I believe that we in America need to protect prayer in school. I ask Members to support the motion to recommit.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, up until 10 minutes ago I certainly expected to support this legislation. A printout has just now come which would make that very, very difficult for me, and that is a tragedy. As I said, we spent a year and a half, the gentleman from Michigan [Mr. FORD], the gentleman from Michigan [Mr. KILDEE], the gentleman from Wisconsin [Mr. GUNDERSON], myself, and all of the Members of the committee writing what I thought was good legislation, assisted by an outstanding staff. I am not going to refer to each one, because I will miss somebody. But I too want to pay tribute to the master staff man. I do not know who the encyclopedia is going to be when Mr. Jennings leaves, because he has 30 years of history to tell it the way it is. He never confuses us with 30 years of history. So we certainly are going to miss Jack.

But, as I said, we worked awfully hard to put together a bill and the staff worked even harder. I think we probably should have quit at the staff level. Maybe we never should have gone to the Member's conference and we should have stopped at that point.

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I am happy to yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Speaker, at least once today I rise to associate myself with the remarks of the gentleman about the great and professional work that we have had the benefit of for so many years with John Jennings, Jack Jennings as we know him,

who is clearly one of the most professional staffers that I have ever worked with. I agree with everything the gentleman has said about him.

Mr. GOODLING. I thank the gentleman.

Mr. Speaker, the problem I now find myself in is a printout has now come to us showing what will happen in 1999. My poorest district, the poorest district I have has 25 percent poverty. They have never been able to get a concentration grant because it goes to the county, not to the local district. In our bill, when it left the floor here, we moved to the LEA's in 1996 which would have given them an opportunity to get into that new concentration money block.

Looking at the printout now, in 1999 if we take current law, and then take this law that we are now passing, they will lose \$59,000, a 25-percent poverty district will lose \$59,000.

One might say well, what would they lose under the formula as it left in H.R. 6? The formula in H.R. 6 when it left the House, as I indicated, takes us down to the local education agency in 1996, which means that they pick up that concentration grant money.

So as I indicated, my whole problem has been why did we have to rush and not be able to give all Members an indication of what it is they do get in those last 3 years?

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BOEHNER], a member of the committee.

Mr. BOEHNER. Mr. Speaker, we spent 18 months working on this piece of legislation in the subcommittee and full committee, and I want to congratulate those on both sides of the aisle who have spent a lot of effort, a lot of time trying to put this legislation together.

But as I look at the bill, I think it is the wrong direction. It is just more of the same.

The bill is entitled "Improving America's Schools Act." I do not think that any Member of this House believes that the legislation before us is going to make hardly a dent in trying to improve America's schools.

The one area that I have the greatest difficulty with, beyond the fact that we have a formula problem, is to look at the number of set-aside programs that we have in the bill. When we started this process 18 months ago we had about 48 individual programs in terms of getting money out to schools. The President, rightly, suggested that this number ought to be reduced to 26. I and others wanted to reduce the number of programs even more so that we could focus our attention in on those areas of America's schools that really do need help and that we really can improve. On the House side we reduced the number of programs slightly, not to the 26 as suggested by the President, but when we sent it to the Senate they

began to add programs, not only all of those that we got rid of, but they added a lot more. Now instead of reducing the number of programs from the number we started with, 48, we did not reduce any. We are up to almost 70 programs.

If anybody thinks that this is the way to improve America's schools, they are kidding themselves. The whole direction of this bill is more of the same. It has not worked for 20 years. Why do we think that adding more programs, more of the same kind of restrictions will work? We were going to give schools more flexibility and they ended up with less flexibility. Why do we think this is going to help our schools? It is not.

It is time to reject this model. It is time to start over, and it is time to begin to understand how we can help American schools, not hurt them.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan [Mr. EHLERS].

Mr. EHLERS. Mr. Speaker, I rise to speak on the issue of racial adoption which has been added to this bill by the Senate. I am concerned about that. It is an issue we had some difficulty with in the State of Michigan, and eventually ended up in court because we had the provision similar to what is in this bill before us, and it was interpreted by the State agencies, particularly the Department of Social Services and their social workers, to imply that same-race adoption took a top priority, and that if a couple of one race wanted to adopt a child of a different race that that was automatically denied unless they were really desperate in terms of a placement.

□ 1340

The net result of all of this is that a number of children spent as much as 2 or 3 years in foster care waiting for adoption when, in fact, there was a family waiting and able to adopt and would have made wonderful parents.

I have a serious concern about the language as it is contained in the conference report, the language prepared by the Senate, and as modified by the conference; I just want to raise a caution flag on this. It is something I believe we will have to go back and visit later and clarify, because clearly under the language that is involved here we are very likely going to have children placed in foster care and remaining in foster care much longer than they should.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, I rise in support of the conference report on H.R. 6, to reauthorize the Elementary and Secondary Education Act, and against the motion to recommit.

I want to compliment BILL FORD and DALE KILDEE for their successful effort. H.R. 6 is a fair bill. It will help schools,

students, parents, and educators in every school district in America. Under the Chapter 1 funding formula in this conference report, no school which has a Chapter 1 program now will lose funds.

The Chapter 1 formula is sensibly balanced to meet a variety of education needs in a variety of public schools. It will preserve current programs, and also give extra help to those schools and students who need it the most.

H.R. 6 also funds programs such as the Safe and Drug Free Schools Act, impact aid, the Eisenhower Professional Development Program, and technology education.

ESEA authorizes Federal funds for schools, without Federal mandates. Local school decisions will be made by the parents, educators, and school boards in our communities, just as they are now and just as they should remain.

Mr. Speaker, I urge my colleagues to vote for the conference report on H.R. 6. We will be voting for Chapter 1 programs, technology in classrooms, training programs for teachers and safer schools. We will be voting for the special interest of all Americans—our children.

Vote "yes" on the conference report and "no" on the motion to recommit.

Mr. GOODLING. Mr. Speaker, I yield 1¼ minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I rise today in support of the motion to recommit offered by Mr. JOHNSON from the great State of Texas.

Mr. Speaker, last year in Corpus Christi, students at various high schools and junior highs were ordered by school officials to disperse and advised that they would receive disciplinary action for gathering before school to pray around a flagpole. The lawsuit is still pending.

In addition, in Dallas, students at Skyline High School were threatened by their principal if they continued to read audibly from their Bible and pray on the school lawn before school.

This is not only outrageous, it is unconstitutional. Voluntary prayer in school is a first amendment right. The House has voted three times by overwhelming margins to protect voluntary school prayer. Nonetheless, the conferees have replaced it with the weaker Senate language.

Some would have you believe that the Johnson language gives control to the Federal Government of the courts. This is simply not true. The Johnson language provides for Federal or court involvement only if the local school boards and State education agencies fail to act and correct the problem.

In addition, the Johnson language is far less burdensome than the Senate language. The Senate language requires a person to go before the courts



twice, and prove that the school willfully violated their constitutional right to voluntary school prayer.

Vote yes on the motion to recommit to protect our children's constitutional right to voluntary prayer.

Mr. KILDEE. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I rise in strong support of H.R. 6 and against the motion to recommit.

As I mentioned when I spoke on the rule, I was a conferee on this bill. In my 6 years in Congress, I hardly know of another bill where more diligent work was put into it, long hours in the subcommittee level, the committee level. I was a conferee.

Education policy ought to be bipartisan. Every attempt was made to put together a bipartisan bill, a good bill for America, a good bill for America's children. That is what this is all about, educating America's children.

This final version is very, very close to the House version that we initially passed, much more so than the Senate version or the President's bill. Members on both sides of the aisle voted for the House version of this bill.

People who want an excuse to vote against a bill will wiggle around and find any kind of excuses. The bottom line is these formulas were crafted carefully. Everything was done carefully.

This is a good bill, a bipartisan bill, and I urge my colleagues to support it.

Mr. GOODLING. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, first of all, let me say I know the gentlewoman did not mean no school will lose funds under the formula, because, of course, schools will lose funds under the formula, some schools less than 2 percent of funds. People will eventually lose all of their funds. So there is that possibility.

But again, I just will take this as my last opportunity to say my congratulations to the staff on both sides of the aisle who worked hundreds of hours on this legislation and to the Members who also worked diligently. My hat is off to the chairman who is being honored in this legislation by having a portion of it named after him.

I must again say that by not knowing until 2 seconds ago what will happen, and no one else knows in those last 3 years, I now have the problem of my biggest district, 25 percent poverty, losing \$50-some-thousand in 1999 when we get to that point. So it makes it very difficult. That is the school district that needs the support in my district.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Ohio [Ms. PRYCE].

Ms. PRYCE. Mr. Speaker, I rise in opposition to the conference report on H.R. 6. This legislation contains a provision entitled "The Multiethnic

Placement Act." The original purpose of this act was to end the discrimination which prevents many minority children from being adopted, especially out of the foster care system. Currently, minority children are entering the foster care system in unprecedented numbers, and they are waiting years longer than white children for families.

However, when the bill came to be considered in conference, the administration insisted on amendments that would undermine the fundamental purpose of the bill.

Now the bill requires something called diligent recruitment of face-matching families and there are serious questions about whether this language could be used to deny placements across racial lines.

The administration amendments gut the original bill, defeat its purpose, and would make it even more difficult for minority children to find families.

The Multiethnic Placement Act is clearly not in the best interest of the children in foster care who are waiting for loving homes. As an adoptive mother, I urge you to vote for the motion to recommit.

Mr. FORD of Michigan. Mr. Speaker, I yield myself 30 seconds.

As we are on the floor at this moment, a longtime staffer of the Committee on Education and Labor is being interred in Arlington Cemetery, and many of us had expected to be at the memorial service at 1 o'clock. Because we could not go, I wanted to put the remarks that I have here in the RECORD to recognize the many years under the direction of Carl Perkins that he gave to this country and to the original construction of this law and its improvement over the years.

Hartwell D. "Jack" Reed of Kentucky was the predecessor to John Jennings, whom we have been talking about here, clearly one of the great people who have served with the greatest chairman the Committee on Education and Labor ever had, Carl Perkins.

Consequently, I urge all members to support H.R. 6. It is a bill which will truly help America's children.

This legislation is one of the most carefully crafted bills which have come out of the Committee on Education and Labor. The members deserve credit for all their work, but I also want to thank the staff members for their extraordinary contributions.

Diane Stark worked night and day on this bill and applied her keen intelligence to make it such a fine piece of legislation which will improve education for many children. Her wonderful personality combined with her intelligence and experience guarantee her a fine future.

Omer Waddles is cut from the same cloth as Diane. His dedication combined with his intelligence and willing-

ness to work long hours makes him one of the best professionals we have ever had on the committee.

Toni Painter has been the person behind the scenes who keeps us all on course. Her good humor and sharp skills make us all proud. We will miss her when she retires from the Committee this year.

Kris Gilbert, Alan Lovesee, and June Harris have all contributed to improving the programs contained in this bill. Their abilities are recognized by all the various education groups they deal with.

Other people I want to commend are the staff members of the Subcommittee on Elementary, Secondary, and Vocational Education. Susan Wilhelm, the staff director has mastered in a surprisingly short period of time the intricacies of the laws under her responsibility. Jeff McFarland and Mary Cassell have also earned the respect of all of us. And Bessie Taylor helps to hold this whole operation together by her diligence and nice personality. DALE KILDEE, as subcommittee chairman, has assembled a fine staff, and our committee will benefit for years from their expertise.

The last person I want to thank is Rosemary Gallagher, the legislative counsel for the bill. She, too, worked long hours and deserves great credit for the quality of the final bill.

Mr. Speaker, I urge my colleagues to vote against any motions to recommit the bill and to vote for final passage of H.R. 6, the Improving America's Schools Act.

Every member of the House receives Federal aid for his or her school district under this bill. We are dealing with \$11 billion of vital aid every year to 13,000 school districts in the country.

The Secretary of Education has said that his lawyers tell him that he cannot disburse this \$11 billion for these programs unless this bill passes. Chairman OBEY of the Appropriations Committee confirms this opinion and says that the money in the Labor-HHS-Education appropriation bill cannot be sent out to school districts unless we pass this authorization.

Any motion to recommit this bill will kill it because we do not have enough time in the remaining few days of this Congress to reconvene the conference, report a new bill, face another motion to recommit, and then face a filibuster in the Senate.

If you want your school districts to receive money under more than 40 education programs, you have to vote against any motion to recommit and vote for the bill. Some examples of the funds which will be lost include:

Title I grants to schools districts .....	\$6,698,356,000
Migrant education .....	305,475,000
Eisenhower Prof. Development Program .....	320,298,000
Chapter 2 .....	347,250,000
Safe and Drug-Free Schools .....	481,962,000

Some opponents of this bill have been sowing confusion among the members by saying that the conference report is unfair to rural areas. Those assertions are simply not true.

The conference report treats rural areas even better than the bill which passed the House last March. We looked at 40 rural areas spread throughout the country and in reviewing every county in those districts we found that nearly all of them did better under the conference report than under the bill we passed 6 months ago.

I am especially concerned about the misinformation which is being given out about rural areas because the people who are distributing it are the ones who are the prime sponsors of the formula we wrote in committee last spring. Those members thought that the formula was fair to rural areas and supported it in committee and then on the floor. Now they are asserting the conference report is unfair when it treats rural areas better than the formula they themselves wrote.

The last point I want to make is that there is going to be a lot of confusion spread about the social amendments we had to deal with in this conference. Let me make some facts crystal clear. First, both bills required school districts to permit constitutionally protected prayer. The House bill had the Secretary of Education determine what is permitted under the Constitution. Then, he could cut off a school district's funds if they disobeyed him. The Senate bill adopted the Kassebaum amendment, supported by Senator HELMS, which placed the authority in the courts for determining what is "constitutionally-protected" and then it penalizes a school district for violating a court order.

The conference committee adopted the Kassebaum amendment. This means that no school district can forbid constitutionally-protected prayer as determined by a court or that school district will lose its Federal funds for education.

On the sex issues, we passed amendments in both the House and the Senate and have put them together into a provision which will bar for the first time the use of Federal education money—No. 1, to promote any sexual activity—heterosexual or homosexual; No. 2, to disseminate obscene material to minors on school grounds; No. 3, to purchase condoms; or No. 4, to fund sex education programs unless they stress the benefits of abstinence.

The conference report, in adopting all these prohibitions for the first time at the Federal level, also respects local control of curriculum by forbidding the U.S. Secretary of Education from directing or controlling local control of education.

My personal view is that we should not have any provisions in Federal law dealing with school prayer or sexual activities but that was not the will of the House or the Senate. Therefore, in conference we fashioned agreements that contain restrictions on prayer and sexual activities, but respect local decisions.

One last note is that at the very time we are debating H.R. 6, amending and extending the Elementary and Secondary Education Act of 1965, a man who made a vital and important contribution to that legislation is being interred at Arlington Cemetery. Hartwell D. "Jack" Reed retired in 1984. He had served the Committee on Education and Labor for 23 years.

He made a vital and impressive contribution to all the important social legislation of that era. The Economic Opportunity Act, the Com-

prehensive Employment and Training Act, and vocational education; all of these he worked on. He had a detailed knowledge of the substantive aspects of all of this legislation. He was an imaginative and extraordinarily good draftsman. His quite "good sense" caused most members of the Committee to seek his advice and counsel.

Jack drafted many of the amendments to our committee rules that marked the liberalization and the democratization of the Committee process in the 60's and 70's.

As his ashes are interred in Arlington, there are many of us who miss him. He was a professional; he contributed much to the legislative process.

□ 1350

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER], my leader on the Committee on Appropriations.

Mr. PORTER. I thank my distinguished colleague for yielding, and I rise in very strong support of the conference report and commend the chairman and ranking Republican members of the committee.

Mr. Speaker, the conference report contains a provision which I helped to write to compensate heavily federally-impacted school districts with very high tax efforts. I want to thank Representatives GOODLING, KILDEE, and FORD and their staffs for working with me on and adopting this provision which is so critical to the North Chicago Community Unit School District in my congressional district. In addition, I want particularly to thank Lynn Selmser and Jeff McFarland, the committee staff who worked so hard on many of the arcane provisions of the Impact Aid reauthorization.

The Impact Aid Program compensates school districts for the cost of educating federally-connected children, many of them children of military personnel, whose parents live and work on Federal property and therefore pay no property taxes to support the local schools. I have three school districts in my congressional district which are impacted by military presence in their communities. While these communities have welcomed the military families which contribute greatly to the local culture and particularly the schools, they have rightfully asked the Federal Government to provide adequate support to the local schools to compensate for the most property tax revenues resulting from Federal ownership of local housing.

As the first Federal education program enacted in the 1950's Impact Aid was fully funded by the Congress during the first two decades of its existence. However, as Congress dramatically expanded the number and breadth of Federal education programs in the 1960's and 1970's, Impact Aid began to compete for increasingly scarce Federal dollars. Over the last decade, Impact Aid has increasingly been funded below the so-called entitlement level—the amount of revenue all schools forego due to Federal ownership of local housing. As result, school districts, like North Chicago, have increasingly been called upon to subsidize the education of federally-connected children. While many schools must provide either a relatively small subsidy or are able to

compensate because of the large tax bases, many schools have been driven literally to the brink of bankruptcy.

In particular, school districts in Highland Park and North Chicago in my congressional district are now providing annual multimillion dollar subsidies to the Federal Government through uncompensated education for federally-connected children. In the case of North Chicago, the school district, which serves over 4,000 students, recently was forced to petition for dissolution and nearly ceased operation in midschool year. At the last minute, the State legislature passed emergency legislation to keep the school district afloat for another year. The school's financial demise was due in large measure to the failure of the Federal Government to fully and fairly fund the Impact Aid Program over the last decade.

The establishment of the new Impact Aid provision which I helped to write will guarantee that communities with heavily-impacted school districts who are making the effort to keep the schools afloat by taxing themselves at extraordinarily high rates will get some Federal relief—enough we hope to keep them in operation over the long term. I want to emphasize that this funding will be provided within the budget caps. In addition, it does not comprise a Federal hand-out to the school district; it is simply reducing the subsidy the school district provides to the Federal Government. In other words, enactment and appropriation of this new provision will ensure that the Federal Government does a better—though not complete—job of meeting its obligation to heavily-impacted school districts.

Mr. Speaker, I also want to thank my Appropriation Chairman NEAL SMITH and Senators HARKIN and SPECTER for agreeing to accept my proposal to provide \$40 million in 1995 to fund the new so-called section (f) provision for heavily impacted schools. This funding will ensure that the former 3(d)2(B) schools and heavily impacted schools like North Chicago will be more adequately compensated for the cost of educating military dependents.

In the future, I hope the Appropriations Committee will be able to more fully fund the Impact Aid Program thereby eliminating the need for section (f) funding. But in the interim, I am pleased that the Congress has recognized the plight of very heavily impacted schools and has taken corrective action.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentleman from Hawaii.

Mrs. MINK of Hawaii. I thank the gentleman, and I rise in strong support of H.R. 6.

Mr. Speaker, I rise today in strong support of the conference report on H.R. 6, the Improving America's Schools Act. Education of our children must be our highest priority, and this is what H.R. 6 is all about—providing our local schools with desperately needed Federal assistance to improve educational opportunities for all children.

Twenty-nine years ago I was privileged to serve as a member of the Education and Labor Committee and had a part in the passage of the first Elementary and Secondary Education Act of 1965, along with my good friend and colleague, Chair BILL FORD. The final bill before us today is evidence of how



our commitment to education has grown over the years, and I am proud to have had a hand in reporting this bill once again.

H.R. 6 will provide \$11 billion of Federal aid to over 13,000 school districts around the country for programs that have stood the test of time, like the Chapter 1 Program for disadvantaged children, Impact Aid, and Bilingual Education, and new programs to meet the changing needs of America's schools, like educational technology, coordinated health and social services, and school repair and renovation funds.

Mr. Speaker, one of the most exciting aspects of H.R. 6 is that it includes a comprehensive package geared towards assuring that girls and young women have equitable educational opportunities, known as the Gender Equity in Education Act.

The Gender Equity in Education Act is a package of nine bills developed by the Congressional Caucus on Women's Issues to address the educational inequities girls and women face in our education system.

The Caucus developed this legislation in response to the increasing evidence that despite the fact that title 9 prohibits sex discrimination in our schools, many inequities in our schools continue to prevent girls from reaching their full academic, social, and economic potential.

Studies have shown that the inequities are often not obvious or purposeful, but are deeply imbedded in school practices, even where discriminatory policies have been abolished. The results are that girls get less attention from their teachers; girls are not encouraged to take math and science courses; girls lack female role models in those academic areas which will lead to the high-skilled, high paying jobs; sexual harassment is not taken seriously and on the rise; tests continue to be gender-biased; and the needs of pregnant and parenting teens are not met.

The Gender Equity in Education Act was developed through the Caucus Task Force on Economic and Educational Equity, of which I chair. We worked closely with the co-chairs of the Caucus, PAT SCHROEDER and OLYMPIA SNOWE and the other Caucus members. Congresswomen JOLENE UNSOELD, LYNN WOOLSEY, SUSAN MOLINARI, NITA LOWEY, OLYMPIA SNOWE, CONNIE MORELLA, LOUISE SLAUGHTER, and CARLISS COLLINS all contributed to our efforts by sponsoring the bills included in the package. The Senate sponsors who helped guide these provisions through the Senate and conference committee are Senators TOM HARKIN, PAUL SIMON, CAROL MOSELEY-BRAUN, BARBARA MIKULSKI, BARBARA BOXER, and DIANE FEINSTEIN.

Through the hard work of the Caucus and the Members of the Education and Labor Committee, I am proud to say that we were able to include a piece of every single bill within the Gender Equity in Education Act.

The cornerstone of the gender equity provisions included in H.R. 6 is the reauthorization of the Women's Educational Equity Act. I authored the Women's Educational Equity Act [WEEA] in 1974 to assist schools in complying with title 9, which had been enacted in 1972. This program which funds research, development, and dissemination of curricular materials, teacher training programs, guidance and counseling activities, and other projects to promote educational equity for women and girls.

For over a decade WEEA has been severely neglected, enduring severe budget cuts and proposed elimination by previous administrations. In 1980 the program received \$10 million, but by 1992 the program had been whittled down to just \$500,000. The conference report brings the funding back up to \$5 million, which has already been provided by the appropriations committee.

In addition, the bill seeks to recapture the original intent of women's Educational Equity Act by retaining the current WEEA grant program to develop and disseminate model programs, curricula, and materials to advance educational equity. But more importantly, the bill also establishes an implementation grant program to provide funds to school districts, community organizations and other entities to implement gender equity programs within local schools systems.

Many model equity programs have been developed over the last 15 years and now is the time to assist schools and school districts in actually integrating these programs into their educational systems.

Reform within the educational system begins at the local level. And as we seek to eliminate discrimination, inequities and barriers that continue to prevent girls and women from achieving educational, economic and social parity in this society, we must assure that schools all across the country implement and integrate into their curriculum, policies, goals, programs and activities, initiatives to achieve educational equity for women and girls.

Along these lines, the bill also establishes within the Department of Education a Special Assistant for Gender Equity to promote, coordinate and evaluate gender equity programs in all education programs, including the Women's Educational Equity Act. Currently gender equity programs of varying sizes exist through the Department of Education, however, there is no mechanism to ensure communication and evaluate progress among all gender equity programs.

The Special Assistant to the Secretary for Gender Equity would help assure the promotion, coordination, implementation, and evaluation of gender equity act activities within the Department of Education and work with other Federal agencies with jurisdiction over Federal education programs.

Other gender equity provisions have been incorporated throughout the programs of the bill to specially address the areas of teacher training, math and science, pregnant and parenting teens, sexual harassment and abuse, coordinated health and social services, and data collection.

The bill includes provisions to promote professional development strategies, methods, and techniques which meet the needs of female and minority students in the Title I Program and the new Eisenhower Professional Development Program. The bill also encourages the recruitment of female and minority teachers in subject areas in which they are underrepresented, such as math and science.

Pregnancy is the most common reason girls give for dropping out of school and almost half of teen mothers who drop out never complete high school. H.R. 6 includes dropout programs targeted to address the needs of pregnant and parenting teens so that they will stay in school.

A fundamental prerequisite for an effective learning environment is that it be free from sexual harassment in our schools, the bill includes sexual harassment prevention programs in the definition of violence prevention programs in the Safe and Drug Free Schools Act.

It also, allows funds under the Safe and Drug Free Schools act to be used for sexual harassment prevention programs and other strategies including conflict resolution and mentoring to prevent sexual harassment in schools.

The final bill also establishes a new coordinated services program designed to assist schools in providing comprehensive education, health and social services in a school-based or school-linked setting.

Many schoolchildren today are struggling with a host of social problems—including poverty, poor nutrition, drug abuse, family violence, and inadequate health care—that prevent them from achieving their full academic potential. A hungry, sick, worried child will not learn well; her basic needs must be met before she can turn full attention to schooling.

Under this provision schools and school districts can use up to 6 percent of their funds received under the Elementary and Secondary Education Programs to finance the coordination of services.

The bill also provides funds under the Safe and Drug Free Schools Act and the Fund for the Improvement of Education [FIE] to be used for the development of curricula related to child abuse prevention and training of personnel to teach child abuse education and prevention to elementary and secondary school children.

H.R. 6 also expands data collection requirements for Chapter 1 and all major Federal education programs in order to better assess the achievement and participation rates of males, females, minority and ethnic populations, and the disadvantaged.

Research and data collection are vital components of any attempt to eliminate gender inequity in education. Unfortunately, current Department of Education data collection activities provide insufficient information on gender issues.

And finally, the bill includes the Equity in Athletics Disclosure Act, which requires all institutions of Higher Education participating in Federal aid programs to disclose certain information on their men's and women's athletics teams.

This provision was included in the Senate version by Senator CAROL MOSELEY-BRAUN and authored in the House by Congresswoman CARLISS COLLINS. It is essential in providing information to young women about the strength of women's athletics at a particular institution to give the general public and the Department of Education a more comprehensive picture of whether schools are complying with title 9 in relation to their athletic programs.

Mr. Speaker, the Gender Equity in Education Act was the first comprehensive educational initiative put forth by the Congressional Caucus on Women's Issues. It is the culmination of over 2 years of work, and I am pleased that we were able to include virtually the entire package in this bill.

Just as importantly, I want to mention a provision that did not make it into the final bill.

The Educational Opportunity Demonstration Program, sponsored by Senator JOHN DANFORTH and included in the Senate version was overwhelmingly rejected by the conference committee.

This program would have allowed the Secretary of Education to waive title 9 of the Education Act Amendments of 1972 in 10 school districts in order to institute single sex classes or schools.

This proposal would have set a dangerous precedent which would have allowed for the first time the waiver of a fundamental civil rights law. There is no doubt that it had serious legal ramifications that would have weakened civil rights protections and reduce educational equity for girls.

Title IX was enacted in 1972 to address the long history of discrimination in sex segregated educational settings. History, as well as recent experiments in this area have proved that once you begin segregating students by sex, it is the girls that always lose. It was not too many years ago, when girls continued to be forced to take home-making while boys took technical training classes which gave them skills they could easily translate into the marketplace.

The Danforth proposal would have allowed schools to travel back down the path of separate but equal, which has never proved to benefit minorities, girls or any other group that has been historically discriminated against in our schools system.

The conference committee rightfully rejected the Danforth proposal with Members on both sides of the aisle voting against the proposal.

Mr. Speaker, the conference report on H.R. 6 is the fine product of many hours of hard work by Members and staff. I commend our Chair, BILL FORD for his hard work on this bill and many other initiatives in his 30 years of service to this institution. It has been a real pleasure to serve with BILL FORD, and to call him a friend. This bill is truly an example of his fine leadership and his commitment to the education of our children.

I hope that all my colleagues will join me in supporting the conference report on H.R. 6, the Improving America's Schools Act.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, I thank the gentleman for yielding time, and I rise in support of the conference report and against any motion to recommit.

Mr. KILDEE. Mr. Speaker, I would like to read a portion of a letter from the Committee on Appropriations:

That means until H.R. 6 is signed, even though the fiscal year 1995 Appropriations Act for the Department of Education has been signed, the department will not be able to obligate those funds for those programs until H.R. 6 becomes law.

The letter referred to is as follows:

COMMITTEE ON APPROPRIATIONS,  
Washington, DC, September 30, 1994.

Hon. WILLIAM FORD,  
Chairman, Committee on Education and Labor,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I want to confirm your understanding that funds in Titles I, II,

III, IV, V, VII, VIII, IX, and XV included in the Fiscal Year 1995 appropriations bill for the Department of Education are available to carry out activities authorized by the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act as enacted into law.

That means until H.R. 6 is signed, even though the fiscal year 1995 appropriations Act for the Department of Education has been signed, the Department will not be able to obligate those funds for those programs unless H.R. 6 becomes law.

Sincerely,

DAVID R. OBEY, *Chairman.*

Mr. KILDEE. I also submit that for the RECORD a letter from the Council for American Private Education, the Lutheran Church-Missouri Synod, National Society for Hebrew Day Schools, Seventh Day Adventist Board of Education, the U.S. Catholic Conference, opposing the motion to recommit and supporting passage of the bill.

The letter referred to is as follows:

DEAR REPRESENTATIVE: On behalf of the Council for American Private Education, I urge you to support the conference report to H.R. 6, the reauthorization of the Elementary and Secondary Education Act (ESEA), and to reject any motion to recommit or otherwise hold up passage of the bill. Any delay toward enactment of H.R. 6 in these closing days of the 103rd Congress will jeopardize continuance and funding of ESEA programs affecting millions of students.

CAPE is a Washington-based coalition of 14 national elementary and secondary private school associations, which are listed below. Our schools are non-profit and subscribe to a policy of non-discrimination in their admissions. The CAPE member organizations represent about 70 percent of the 5 million children enrolled and 384,000 teachers in private schools. There are 30 state CAPE affiliates which extend the coalition throughout the country.

We strongly support the Elementary and Secondary Education Act and feel its programs have been beneficial to all the nation's students and teachers—in both private and public schools. The fabric of American education has been strengthened by this Act since its inception in 1965. A driving principle for this success and effectiveness has been that the law seeks to address the needs of all students, regardless of what kind of school they attend.

Therefore, we are concerned that efforts may be made to recommit the bill to conference in the closing days of the session. Consideration of the reauthorization has been underway formally since December 1992, with extensive review, deliberations, and public hearings. While CAPE could take issue with certain provisions of this comprehensive bill which affect our schools, we recognize the legislative process requires good will, bi-partisanship, and compromise.

CAPE urges the House to move expeditiously to consideration and final passage of the conference report to H.R. 6 before the end of the 103rd Congress.

Sincerely,

JOYCE G. MCCRAY,  
*Executive Director.*

Mr. KILDEE. Also, a letter from the U.S. Catholic Conference, Department of Education

When the House considers the Elementary and Secondary Education Act conference report, we urge you to vote against any attempt to recommit the bill to conference.

The letter referred to is as follows:

U.S. CATHOLIC CONFERENCE,  
DEPARTMENT OF EDUCATION,  
Washington, DC, September 29, 1994.

DEAR REPRESENTATIVE: In 1965, the Congress passed and the President signed into law the Elementary and Secondary Education Act of 1965 (ESEA), thus making an historic commitment to serve the needs of all educationally disadvantaged children in our nation's schools. Since passage in 1965 ESEA has provided federally financed services to all students who have a right to them irrespective of the schools they attend. For 29 years, Congress has not only reauthorized, but has strengthened the provisions of ESEA in order to ensure that the Federal government keeps faith with this historic commitment to both public and nonpublic school students and teachers.

In anticipation of the current ESEA reauthorization, the United States Catholic Conference (USCC) has, since 1992, provided public testimony and additional written documentation to both House and Senate Committees and the Administration in order to present our concerns and recommendations which were intended to improve those provisions of ESEA which address the needs of nonpublic school students and teachers.

As the House of Representatives prepares to vote on final passage of the Conference Report on H.R. 6, Improving America's Schools Act of 1994, the USCC believes that the bill addresses many of our concerns and recommendations. The USCC believes that H.R. 6 provides important benefits to eligible nonpublic school students and teachers, which should be supported by members of the House.

When the House considers the ESEA Conference Report, we urge you to vote against any attempt to recommit the bill to conference. Any delay in the enactment of ESEA will jeopardize the implementation of the essential improvements to American public and nonpublic education that are contained in this critical legislation. The Congress has been engaged in the reauthorization of the Elementary and Secondary Education Act for two years. All issues have been fully debated and considered in committee and on the floor. Any effort to delay action on the measure now is an attempt to prevent or delay enactment of legislation that has been adopted with strong bipartisan support for three decades.

Thank you for your consideration of our views on this important issue.

Sincerely,

SR. LOURDES SHEEHAN, RSM,  
*Secretary for Education.*

Mr. CLAY. I rise in support of the H.R. 6 conference report reauthorizing the Elementary and Secondary Education Act.

While there are many legitimate reasons for supporting this conference report, the most important is that further delay in implementing ESEA will adversely impact the children who benefit most from the programs funded in this bill.

Given the problems encountered in bringing this bill to fruition, once again the perception given the public is that the Congress is unable to deal with the critical and basic issues facing this Nation. We seem eager to respond to minutia and frivolous matters of little consequence to most Americans but when it comes to the welfare of our children, we seem to be unable to do what is necessary to ensure their future.



The people's agenda includes economic development, crime abatement, education, and health reform.

The conference committee has tried to be responsive. Those who would thwart such efforts appear to have a different agenda which speaks to special interests like baseball, hockey, term limits, and bogus election year contracts.

H.R. 6, the Improving America's Schools Act of 1994 extends through 1999 almost all of the major Federal elementary and secondary education programs.

Since its inception in 1965, this act has provided a vital and crucial link in helping to provide high-quality education to economically disadvantaged children, particularly in the areas of reading and mathematics as well as in the development of critical thinking skills.

The move toward excellence and inclusiveness which began so nobly in 1965 when, then President Lyndon Baines Johnson signed the Elementary and Secondary Education Act into law, must be permitted to move forward.

The Dwight D. Eisenhower professional development component of this bill will facilitate improvement in the professional skills of teachers, staff, and administrators.

The Magnet Schools Assistance Program helps school districts fulfill the Federal commitment to school desegregation.

A recent report on school desegregation, issued in December 1993 by Gary Orfield states: "For the first time since the Supreme Court declared school segregation in the south unconstitutional in 1954, the public schools in that region have turned back toward greater segregation." Clearly, in reauthorizing the Magnet Schools Assistance Program we can demonstrate our continuing commitment to school desegregation in compliance with the 1954 Supreme Court decision in *Brown versus Board of Education*.

Mr. Speaker, the opportunity-to-learn standards provisions included in this legislation clearly provides for content and performance standards as well as assessments that would be established or used for title I programs. Content standards indicate what children should know and be able to do; performance standards determine whether children are learning. I fully support both content and performance standards; however, I firmly believe that it is inequitable to hold students accountable for their performance without addressing the capacity of the school to educate children to the level required under the student performance standards.

The legislation is needed in order to enrich and expand educational opportunity for children and youths at all levels.

The reality is that title I and the other programs included in this legislation are crucial if we are to provide world class education for our children.

Mr. Speaker, let's do the people's business and give our youth a fighting chance to be productive adults. I urge my colleagues to hear the people, to do what is right, and vote in favor of the conference report accompanying H.R. 6.

Mr. SCHUMER. Mr. Speaker, I will oppose the motion to recommit this education bill. I do so with a heavy heart because I fully support the right of voluntary prayer in school and sup-

ported the House position on this issue repeatedly. However, passage of the motion would effectively kill this bill and that is something I cannot support. The bill before us contains the most sweeping educational reforms to come before this Congress and it is critical that we pass it now.

Mr. FRANKS of Connecticut. Mr. Speaker, last March I voted for the reauthorization of the Elementary and Secondary Education Act with confidence that the final version brought to the House would deserve my vote. Today the final version is before us, and while I believe that improvements should still be made, the bill as a whole is worthy of support.

This bill will do much to help schools in my district. I will mention in particular the schools in Waterbury. The title I grants will improve the educational opportunities for the students who live in Waterbury, especially those from low-income neighborhoods. This bill also allows States to use Federal funds to develop and implement public school choice programs. I am hopeful that the State of Connecticut will be willing to take this first step toward a true program of school choice. I feel that competition is an important element in the struggle to improve the schools in our most troubled neighborhoods.

At a time when the Clinton administration is neglecting the threat of drug abuse in our country, it is good to see that this bill reauthorizes the drug abuse resistance programs, or DARE. I have been a supporter of the DARE program since I entered Congress. Our Nation's children need encouragement to resist the temptations of street drugs. Considering the cost of drug use to society and taxpayers, the Federal Government should be doing even more to give children the confidence to stay off of drugs.

Ms. PELOSI. Mr. Speaker, I rise today in strong support of the conference report to H.R. 6, the Improving America's Schools Act. The reauthorization of the Elementary and Secondary Education Act (ESEA) is a critical component of quality education for millions of students. This reauthorization will renew and improve major education programs, such as chapter I, bilingual education, and safe and drug-free schools. In my district of San Francisco, ESEA provides much-needed educational funding for services essential to the success of the city's neediest and disadvantaged students.

Any delay in passage of this legislation will threaten the funding of these ESEA programs, thereby jeopardizing students' access to enormous educational opportunities. We need to guarantee quality and comprehensive education programs that meet the needs of our growing and diverse population of students. We as a nation simply cannot afford to deny our children the resources that will help them face the challenges of the future.

I urge my colleagues to demonstrate their commitment to the quality and equality of education—vote for the passage of the conference report on H.R. 6. I also wish to commend the chairman of the committee, Mr. FORD, and the members for their excellent work in bringing this legislation to the floor.

Mr. WHEAT. Mr. Speaker, I rise in strong support of the conference report on H.R. 6, improving America's Schools Act of 1994. This

vital legislation reauthorizes many of the Federal Government's programs providing assistance under the Elementary and Secondary Education Act and includes other initiatives to improve our Nation's educational system, certainly an endeavor all of us should advocate.

Our children will have the responsibility for the future of our Nation. It is our responsibility, however, to ensure that they are prepared for that obligation, that trust, and a sound education is an essential part of the growth process.

Included in the conference report on H.R. 6 is the Multiethnic Placement Act of 1994. I was pleased to introduce this legislation in the House of Representatives and am also pleased to support the amended version embodied in this bill.

Minority children wait longer for adoption, are less likely to be placed and are disproportionately represented among children waiting to be adopted. Both informal and, in some States, formal policies provide barriers to transracial adoptions, thereby keeping minority children apart from permanent, stable homes. This must not continue.

I am deeply committed to reducing the length of time children remain in foster care, eliminating barriers to adoption and ending discrimination in adoption placements. All children need loving homes and a sense of permanence and the race or ethnic background of a child ought not determine whether the child remains in the limbo of foster care or joins a new family. I believe the multiethnic Placement Act will go a long way in achieving those goals. This important legislation should be approved today.

Many organizations have written in support of the Multiethnic Placement Act, particularly the revised language included in H.R. 6. They include the Child Welfare League of America, the Children's Defense Fund, the American Civil Liberties Union, the North American Council on Adoptable Children, and Adoptive Families of America, Inc.

In a letter of support, Secretary of the Department of Health and Human Services, Donna Shalala, stated that the administration "strongly supports the goal of this bill, namely the elimination of racial and ethnic discrimination in the making of foster and adoptive home placement." Furthermore, the administration strongly supports the amended language included in this conference report.

I am also greatly pleased that the conference report on H.R. 6 includes provisions which give greater attention to parental involvement in the education of their children. Valuable programs, like Missouri-based Parents as Teachers, help prepare parents and make sure that children enter school ready to learn. In my own State of Missouri we have seen the Parents as Teachers program work. Parents become more actively involved in their children's education and more confident and effective in their role as parents and as teachers. Children are better prepared for school and have a much improved education experience.

Our children deserve the best we can give them. That includes loving, stable homes, good health, and an excellent education. I encourage my colleagues to vote for H.R. 6, for the education programs and for the Multiethnic Placement Act.

Mrs. MALONEY. Mr. Speaker, I rise today to urge my fellow members to support H.R. 6, Improving America's Schools Act. Few Federal priorities can be as important as education. As a former teacher, school administrator, and the mother of two school-age daughters, I am particularly proud to participate in today's debate to reauthorize for 5 years most of the Federal assistance for elementary and secondary education programs.

I would like to thank Chairman FORD for all of his diligent work on this important legislation, so crucial to America's children. I would also like to mention the efforts of two of my fellow New Yorkers, ELIOT ENGEL and MAJOR OWENS, and to thank them for protecting the interests of our city and State.

Of all of this legislation's many important programs, it is perhaps the title I Compensatory Education Program which provides the most direct and dramatic assistance to schoolchildren in New York and throughout the country. This important program provides economically and educationally disadvantaged children the concentrated extra help they need.

H.R. 6 authorizes \$8 billion in title I funding for fiscal year 1995 and such sums as may be necessary for the remaining 4 years. In New York City over half of our schools receive title I funding—666 schools out of a total of 1,105, with an estimated 237,000 students receiving benefits. As impressive as that may seem, that number is unfortunately only a little over half of those eligible.

This is the main reason why I supported President Clinton's original formula, which would have targeted more of the available resources toward the Nation's poorest schools. In New York City, a school must have 62 percent of its students in poverty to receive title I funds, in contrast to the national average of only 25 percent. Although the President's formula was not adopted, I do believe that the final formula represents a step in the right direction. The three New York boroughs that I represent—Manhattan, Brooklyn, and Queens—will receive an additional \$22.6 million in fiscal year 1996 as a result of the new formula for a total of over \$313 million.

Mr. Speaker, there are other important features of this legislation. For instance title IV authorizes \$655 million in fiscal year 1995 for drug and violence prevention programs in an effort to ensure the safe environment so crucial to the academic environment. Title V funds magnet schools, which have a magnificent track record in my district for promoting innovative educational programs and cultural diversity. Title II includes the Eisenhower Professional Development Program to sustain and intensify teacher training opportunities.

Mr. Speaker, I am proud to support this huge investment in our children's future. It's a good bill for New York and for our Nation. Let's not play politics with our children—let's pass this bill now.

Mr. SWETT. Mr. Speaker, today we are being asked to recommit the elementary and secondary education conference report due to its language regarding school prayer, which is not the language so many of us in the House supported.

I have consistently advocated a moment of silence in schools. But while I support my colleagues who are fighting for the House lan-

guage, I cannot dismiss a bill that many have worked so hard to pass and that will provide much needed funding to our States' education programs.

The elementary and secondary education bill does not, in any way, jeopardize the use of prayer in schools. The Senate language, which was included in the conference report, will withhold Federal funds from any school district that violates a court order to allow constitutionally protected voluntary prayer in school. This measure will go a long way to protect school prayer, as ESEA will go a long way to improve America's schools.

Mr. Speaker, I respectfully request that my colleagues join me in voting "no" on the motion to recommit the conference report on H.R. 6. It is my hope this body will join together in support of the elementary and secondary education bill.

Mr. EMERSON. Mr. Speaker, I rise today in strong support of the motion to be offered by the gentleman from Texas [Mr. SAM JOHNSON] to recommit the conference report to reauthorize the Elementary and Secondary Education Act offered by my colleague from Texas. Frankly, I find it unbelievable that we are here today debating this motion to recommit because last week the House easily passed the motion to instruct conferees to accept the House-passed language to H.R. 6 regarding school prayer offered by Mr. GUNDERSON. The House sent a strong message to members of the conference committee to accept the House-passed language. We have sent this same message to the other body on numerous occasions.

While there are provisions in this bill I strongly support, I must object to the conference committee's blatant rejection of the strong message sent by the House on the issue of school prayer. As passed by the House on March 24 by a convincing vote of 289-128, H.R. 6 included language denying funds to any State or local educational agency which has a policy of denying or preventing participation in constitutionally protected school prayer. The bill also stipulated that the Federal Government cannot require any person to participate in school prayer.

The Senate language would make schools judged by a Federal court to have willfully violated a Federal court order mandating that they correct violations of constitutionally protected school prayer, ineligible for funds until they comply with the court order. The bill also states that funds are not reimbursable for the period during which schools were in willful noncompliance. This language is not acceptable.

The House language does not mandate school prayer or require schools to write any particular prayer. Under this language, a school is not required to do anything in favor of voluntary prayer. It simply must refrain from instituting policies prohibiting voluntary student prayer.

One of the many liberties our forefathers founded this great Nation upon was freedom of religion; a freedom to pray to the god we want, when we want, and where we want. Unfortunately, this freedom has been eroded by the Supreme Court over the last few decades. I firmly believe that no one should be forced to pray, especially if a certain prayer is con-

trary to an individual's beliefs. But, there can be no question that every American citizen has the right to pray voluntarily whenever and wherever he or she chooses, and that includes children in public schools. This is protected under the first amendment; "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." It is that second part that I ask you to pay special attention to today.

As President Reagan so eloquently stated in 1982, "the first amendment of the Constitution was not written to protect the people of this country from religious values; it was written to protect religious values from Government tyranny."

This language has overwhelmingly passed the House on several occasions and based on that fact, the motion to recommit should also pass overwhelmingly. I urge an affirmative vote on the Johnson motion to recommit H.R. 6 to support the House-passed language.

Mr. SMITH of New Jersey. Mr. Speaker, this conference report contains an unfortunate provision that could seriously inhibit the placement of minority race children in adoptive homes.

According to the National Council for Adoption, there are currently about 200,000 children available for adoption. Black children make up about 40 percent of this pool and that percentage could increase if this legislation is enacted in its current form.

The Multiethnic Placement Act was originally introduced to mitigate practices which often prevent minority children from being placed in adoptive homes for many years. Too often, social workers decline to place children for adoption along racial or ethnic lines in order to preserve the children's "cultural identity." This causes children to linger in foster care for years and years, often going from one home to another. The sad result is that these children fail to form a family identity and a sense of security that comes from having loving parents and a stable home environment.

At the insistence of the Clinton administration, language was added to this bill which requires "diligent recruitment" of race-matched families. Bureaucrats at the Department of Health and Human Services [HHS] will have the authority to micromanage adoption placement practices in all 50 States. A legislative remedy that had the support of the National Council for Adoption, Jesse Jackson's Rainbow Coalition and the Children's Defense Fund has been turned virtually inside out in this legislation. The effect of codifying and expanding an ill-advised practice will likely be that fewer black children will be placed for adoption, and those that are will not be placed until they are older and more insecure after years of lingering in orphanages or foster homes.

Mr. Speaker, the provisions of the Multiethnic Placement Act allow agencies to " \* \* \* consider the race, color or national origin of a child as a factor \* \* \* " However, that carefully considered legislation does not allow social workers to endlessly delay the placement of a child who desperately needs a stable home and loving parents. I urge Members to vote to recommit this conference report and address adoption policies in a manner that puts the well-being of our Nation's children first.



Mr. FAWELL. Mr. Speaker, I rise in opposition to H.R. 6, the Improving America's Schools Act. I supported the House-version of H.R. 6, but am unable to vote for the conference report.

The Elementary and Secondary Education Act currently consists of 46 programs. When President Clinton submitted his recommendations for this reauthorization, he suggested that we eliminate unnecessary programs and consolidate others so that the bulk of Federal education dollars could be focused in the programs with broad support and proven records of effectiveness. While I did not agree with all of the President's recommendations, I did support the concept of consolidation and streamlining. Regrettably, this conference report takes a step in the opposite direction. Rather than eliminating and consolidating programs, this bill eliminates few programs and creates many new ones. The conference report includes 15 more programs than the House-passed version, 63 programs in all, and more than double the number of programs that the President recommended.

I am also concerned about the possible effects of changes in the title I formula on schools in my congressional district. The House is considering this legislation without providing Members of Congress the requisite 3 days for reviewing the legislation which is over 1,200 pages long. No Member of Congress has read the entire bill, and no one really knows what the effect of the formula will be.

In addition, I am opposed to the version of the Multiethnic Placement Act which has been included in the conference report. Denying adoption of black children by white families effectively sentences these children to unnecessary years of going from one home to another without having a chance to emotionally bond with permanent adoptive parents. This is tragic and avoidable. Senator HOWARD METZENBAUM's original legislation would correct this situation by denying any Federal foster care and adoption assistance money to adoption agencies which deny or delay the placement of a child based solely on the race, color, or national origin of the adoptive parents.

Under the original Metzenbaum proposal, social workers could select parents of the same race over equally qualified candidates of another race if they believed doing so was in the best interest of the child. The legislation made clear, however, that delaying or denying the adoption of a child by qualified adoptive parents of any color is not in the child's best interest and is prohibited.

As a House conferee on this provision, I worked with the National Council For Adoption and other Members of Congress to eliminate the roadblocks to transracial adoption. Regrettably, the U.S. Department of Health and Human Services [HHS], which runs Federal adoption programs, has insisted on major changes which will have the effect of permitting agencies to discriminate on the basis of race. Among the changes sought by HHS are the expansion of a "permissible consideration" provision which would allow an agency to consider "the cultural, ethnic, or racial background of the child and the capacity of the prospective foster or adoptive parents to meet those needs as one of a number of factors used to determine the best interests of a child." In ad-

dition, HHS recommended changing the enforcement mechanism from mandatory to discretionary enforcement. Unfortunately, the majority party of Congress agreed to acquiesce to the HHS recommendations, and the conference report would reaffirm that racially coordinated adoptions are strongly preferred, and that delays and denials for this purpose will be permissible.

Mr. Speaker, supporters of H.R. 6 have argued that Federal education funding will not be given to the schools this year if we do not pass this legislation. This simply is not so. The House and Senate have already approved H.R. 4606, with my support, which provides funding of Federal education programs for the next year. If we do not pass H.R. 6, funds will be allocated according to existing law.

In the 104th Congress, I believe that Congress can come up with a better product than H.R. 6, and urge Members to vote "no" on the conference report.

Mrs. UNSOELD. Mr. Speaker, I rise today in support of the conference report on H.R. 6 and against the motion to recommit. We have heard a lot about the formula for the chapter 1 program. We have heard a lot about the issue of school prayer. What we have not heard about is the kids that these Federal funds will help.

The bill contains provisions to help keep pregnant and parenting teenagers in school and off the welfare rolls. The bill also contains provisions to make it easier for homeless children to attend school. And the bill contains a wonderful program to help Head Start and Even Start kids make the transitions from preschool to the elementary school setting so that they can successfully stay in school. Without these programs, these are children and youth who will fall through the cracks of our society.

Finally, this bill emphasizes the importance of local control over education decisions by minimizing the Federal role in curriculum decisions. In the conference committee, we fought long and hard to keep decisions where they belong—at the local level.

Mr. EMERSON. Mr. Speaker, I rise today to express my sincere appreciation and gratitude to Chairman FORD and KILDEE, and ranking member BILL GOODLING for their tremendous efforts on behalf of the Winona R-III School District in Missouri.

Since 1986, I have been working with school officials from Winona, Senators DANFORTH and BOND, the Department of Education and members of the House Committee on Education and Labor on this issue.

Briefly, Winona R-III is a small school district in rural, low-income Winona, MI, which has been saddled with a problem since 1986. The district is heavily impacted by Federal land—approximately 47 percent, and 26 percent is further owned by the State of Missouri. Winona is not financially well-off. State income tax returns for 1989 showed the average income in the Winona School District was significantly lower than the statewide average. It is clear that in Winona, meeting even the most basic educational expenses is a formidable task.

In 1985, the Winona High School was housed in a 68-year-old building which had been declared by the State to be a threat to public health and safety. Winona applied to

the U.S. Department of Education for impact aid construction funding in 1985. In 1987, after Federal officials visited the district and realized the urgency of the situation, the school received a No. 1 priority for construction funding.

Yet there was a problem. At the time of the school's application for Federal funding in 1985, the assessed valuation of the school district was \$2,470,000. State land was reassessed later that year, and the assessed valuation more than doubled to \$5,980,000. Prior to reassessment, the property levy was \$4.00 per \$100 in assessed valuation. However, the State realized that a substantial change in the paper value of the land will not substantially change the ability of the residents to pay for that levy. Thus, the State of Missouri enacted a law requiring a rollback of the property levy, so that the paper change in assessed valuation would not result in any additional taxes. After reassessment there was a levy ceiling of \$2.09 per \$100 in assessed valuation, and the tax burden remained the same.

As far as Winona's school construction application was concerned, however, the statewide reassessment caused the effective tax burden to more than double. This is because the impact aid school construction law requires each applicant school district to demonstrate a substantial local effort toward the building of the school. The Department of Education considers a reasonable tax effort to be 10 percent of the district's assessed valuation. When Winona applied for the school construction funds, it fully expected to contribute this reasonable tax effort—or roughly \$247,000—of its own funding toward the construction project. After Missouri's reassessment, however, the Department of Education stated that it would require Winona to pay \$598,000 up front before it would agree to fund Winona's new school.

At this point, Winona was faced with a decision. If the school district could not come up with the \$598,000, it would be forced to forfeit the Federal school construction funding. Winona opted to go forward and was able to borrow the \$598,000 at interest rates much higher than prudence would allow, prudence, however, was understandably sacrificed to desperation. Winona contributed this \$598,000, satisfied its local effort requirement and the school was built and is currently operational.

Now, Winona is saddled with a \$598,000 private debt. It has no more ability to pay the debt now than it did in 1987, when it was forced to come up with the money. The people are no wealthier, and the federally and State owned property still fails to produce tax revenue. To complicate matters further, Missouri State law forbids any local school district from finishing the school year in deficit. Thus, when Winona cannot afford to both buy textbooks and service its debt, State law requires that the district service its debt. As one can well imagine, this mandated decision contributes little to the education of the children in Winona.

Today, I am pleased to report that the conference report for H.R. 6 contains a legislative remedy for Winona, similar to the bill I have introduced for years. It is very simple, and it consists of a grand total of 10 lines. As a result of the passage of this bill, Winona will still be required to contribute a fair and reasonable

local effort—\$200,000—toward the school construction. However, the school district will be relieved of the excess \$398,000 that the Department of Education previously required of it.

I am pleased that the Congress has recognized the hardship faced by Winona and has taken this corrective action. Again, I want to thank everyone involved in this effort. I also want to commend the persistent efforts of Winona's superintendent, Michael Greene. Michael has been dogged in his pursuit to resolve this matter. Now Mr. Greene will be able to turn his attention where it should have been all along—to the children of Winona.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETERSON of Florida). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. SAM JOHNSON OF TEXAS

Mr. SAM JOHNSON of Texas. Mr. Speaker, I offer a motion to recommit. The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. SAM JOHNSON of Texas. In its present form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SAM JOHNSON of Texas moves to recommit the conference report on the bill H.R. 6 to the committee of conference with instructions to the managers on the part of the House to disagree to section 14510 of the Elementary and Secondary Education Act of 1965, relating to school prayer, as proposed to be added by title I of the conference substitute recommended by the committee of conference and insist on section 9513 of the Elementary and Secondary Education Act of 1965, relating to protected prayer, as proposed to be added by title I of the House bill.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I object on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—yeas 184, nays 215, not voting 36, as follows:

[Roll No. 455]

#### YEAS—184

Allard	Goodlatte	Parker
Archer	Goodling	Paxon
Armey	Goss	Payne (VA)
Bachus (AL)	Greenwood	Peterson (MN)
Baker (CA)	Gunderson	Petri
Ballenger	Hall (TX)	Pickett
Barrett (NE)	Hamilton	Pombo
Bartlett	Hancock	Porter
Barton	Hansen	Portman
Bateman	Hastert	Poshard
Bentley	Heffley	Przyce (OH)
Bereuter	Herger	Quinn
Bevill	Hobson	Ramstad
Bilbray	Hoekstra	Regula
Billakis	Hoke	Ridge
Bliley	Horn	Roberts
Blute	Houghton	Rogers
Boehner	Huffington	Rohrabacher
Bonilla	Hunter	Ros-Lehtinen
Boucher	Hutchinson	Roth
Browder	Hyde	Roukema
Bunning	Inglis	Royce
Burton	Istook	Santorum
Buyer	Johnson, Sam	Sarpalio
Camp	Kasich	Saxton
Canady	Kim	Schaefer
Castle	King	Schiff
Clinger	Kingston	Sensenbrenner
Coble	Klug	Shuster
Collins (GA)	Knollenberg	Sisisky
Combest	Kolbe	Skeen
Condit	Kyl	Skelton
Cooper	Lancaster	Smith (MI)
Costello	Laughlin	Smith (NJ)
Cox	Lazio	Smith (TX)
Cramer	Levy	Solomon
Crane	Lewis (CA)	Spence
Crapo	Lewis (FL)	Stearns
Cunningham	Lewis (KY)	Stenholm
Danner	Lightfoot	Stump
Deal	Linder	Talent
DeLay	Livingston	Tanner
Diaz-Balart	Lloyd	Tauzin
Dickey	Long	Taylor (MS)
Doolittle	Lucas	Taylor (NC)
Dorman	Machtley	Thomas (CA)
Dreier	Manzullo	Thomas (WY)
Duncan	McCandless	Torkildsen
Dunn	McCollum	Trafficant
Ehlers	McHugh	Tucker
Emerson	McInnis	Upton
Everett	McKeon	Vucanovich
Ewing	Mica	Walker
Fawell	Michel	Walsh
Fields (TX)	Miller (FL)	Weldon
Fowler	Molinar	Wolf
Franks (NJ)	Montgomery	Young (AK)
Frost	Moorhead	Young (FL)
Gekas	Myers	Zeliff
Geren	Nussle	Zimmer
Gilchrest	Oxley	
Gillmor	Packard	

#### NAYS—215

Abercrombie	Clay	Farr
Andrews (ME)	Clayton	Fazio
Andrews (NJ)	Clement	Filner
Andrews (TX)	Clyburn	Fingerhut
Bacchus (FL)	Coleman	Fish
Baer	Collins (IL)	Flake
Barca	Collins (MI)	Foglietta
Barcia	Conyers	Foley
Barlow	Coppersmith	Ford (MI)
Barrett (WI)	Coyne	Ford (TN)
Becerra	Darden	Frank (MA)
Beilenson	de la Garza	Franks (CT)
Bishop	DeFazio	Furse
Blackwell	DeLauro	Gedensson
Boehlert	Dellums	Gephardt
Bonior	Derrick	Gilman
Borski	Deutsch	Glickman
Brewster	Dicks	Gonzalez
Brooks	Dingell	Green
Brown (CA)	Dixon	Gutierrez
Brown (FL)	Dooley	Hall (OH)
Brown (OH)	Durbin	Hamburg
Bryant	Edwards (CA)	Harman
Byrne	Edwards (TX)	Hastings
Cantwell	Engel	Hefner
Cardin	English	Hilliard
Carr	Eshoo	Hinchey
Chapman	Evans	Hoagland

Hochbrueckner	Meehan	Sanders
Holden	Meek	Sangmeister
Hoyer	Menendez	Sawyer
Hughes	Meyers	Schenk
Inslee	Mfume	Schroeder
Jacobs	Miller (CA)	Schumer
Jefferson	Minge	Scott
Johnson (CT)	Mink	Serrano
Johnson (GA)	Moakley	Sharp
Johnson (SD)	Mollohan	Shays
Johnson, E. B.	Moran	Shepherd
Johnston	Morella	Skaggs
Kanjorski	Murphy	Slaughter
Kaptur	Murtha	Smith (IA)
Kennedy	Nadler	Snowe
Kennelly	Neal (MA)	Stark
Kildee	Neal (NC)	Stokes
Kleczka	Oberstar	Strickland
Klein	Obey	Studds
Klink	Olver	Stupak
Kopetski	Ortiz	Swett
Kreidler	Orton	Swift
LaFalce	Owens	Tejeda
Lambert	Pallone	Thornton
Lantos	Pastor	Thurman
LaRocco	Payne (NJ)	Torres
Leach	Pelosi	Torricelli
Lehman	Penny	Unsoeld
Levin	Peterson (FL)	Valentine
Lewis (GA)	Pickle	Velazquez
Lowey	Pomeroy	Vento
Maloney	Price (NC)	Visclosky
Mann	Rahall	Volkmmer
Manton	Rangel	Waters
Margolies	Reed	Watt
Mezvinsky	Reynolds	Waxman
Markley	Richardson	Whitten
Martinez	Roemer	Williams
Matsui	Rose	Wilson
Mazzoli	Rostenkowski	Wise
McCloskey	Rowland	Woolsey
McDermott	Roybal-Allard	Wyden
McHale	Rush	Wynn
McKinney	Sabo	Yates

#### NOT VOTING—36

Ackerman	Grams	Quillen
Applegate	Grandy	Ravenel
Baker (LA)	Hayes	Shaw
Berman	Hutto	Slattery
Callahan	Inhofe	Smith (OR)
Calvert	Lipinski	Spratt
Fields (LA)	McCrery	Sundquist
Galleghy	McCurdy	Synar
Gallo	McDade	Thompson
Gibbons	McMillan	Towns
Gingrich	McNulty	Washington
Gordon	Mineta	Wheat

□ 1413

The Clerk announced the following pairs:

On this vote:

Mr. Calvert for, with Mr. Ackerman against.

Mr. Grams for, with Mr. Berman against.

Mr. Quillen for, with Mr. Mineta against.

Mr. Smith of Oregon for, with Mr. Wheat against.

Mr. HORN and Mr. SISISKY changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PETERSON of Florida). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 262, noes 132, not voting 41, as follows:



[Roll No. 456]

## AYES—262

Abercrombie	Green	Pallone
Andrews (ME)	Gutierrez	Parker
Andrews (NJ)	Hall (OH)	Pastor
Andrews (TX)	Hall (TX)	Payne (NJ)
Bacchus (FL)	Hamburg	Payne (VA)
Baessler	Hamilton	Pelosi
Barcia	Harman	Penny
Barlow	Hastings	Peterson (FL)
Barrett (WI)	Hefner	Peterson (MN)
Becerra	Hilliard	Pickett
Beilenson	Hinchey	Pickle
Bevill	Hoagland	Pomeroy
Billbray	Hochbrueckner	Porter
Bishop	Holden	Poshard
Blackwell	Horn	Price (NC)
Blute	Hoyer	Quinn
Boehlert	Huffington	Rahall
Bonior	Hughes	Rangel
Borski	Inlee	Reed
Boucher	Jacobs	Reynolds
Brewster	Jefferson	Richardson
Browder	Johnson (CT)	Roemer
Brown (CA)	Johnson (GA)	Rogers
Brown (FL)	Johnson (SD)	Ros-Lehtinen
Brown (OH)	Johnson, E. B.	Rose
Bryant	Kanjorski	Rostenkowski
Byrne	Kaptur	Rowland
Cantwell	Kennedy	Royal-Allard
Cardin	Kennelly	Rush
Carr	Kildee	Sabo
Castle	Kleczka	Sanders
Chapman	Klein	Sangmeister
Clay	Klink	Sarpallus
Clayton	Klug	Sawyer
Clement	Kopetski	Schenk
Clyburn	Kreidler	Schroeder
Coleman	LaFalce	Schumer
Collins (IL)	Lambert	Scott
Collins (MI)	Lancaster	Serrano
Condit	LaRocco	Sharp
Conyers	Laughlin	Shays
Cooper	Lazio	Shepherd
Coppersmith	Leach	Sisisky
Costello	Lehman	Skaggs
Coyne	Levin	Skelton
Cramer	Lewis (GA)	Slaughter
Cunningham	Lloyd	Smith (IA)
Danner	Long	Smith (NJ)
Darden	Lowey	Snowe
de la Garza	Machtley	Stark
DeFazio	Maloney	Stokes
DeLauro	Mann	Strickland
Dellums	Manton	Studds
Derrick	Margolies-	Stupak
Deutsch	Mezvinsky	Swett
Diaz-Balart	Markey	Swift
Dicks	Martinez	Tanner
Dingell	Matsui	Tauzin
Dixon	Mazzoli	Taylor (MS)
Dooley	McCloskey	Tejeda
Durbin	McDermott	Thomas (CA)
Edwards (CA)	McHale	Thornton
Edwards (TX)	McKinney	Thurman
Engel	Meehan	Torkildsen
English	Meek	Torres
Eshoo	Menendez	Torricelli
Evans	Meyers	Trafficant
Farr	Mfume	Tucker
Fazio	Miller (CA)	Unsoeld
Filner	Minge	Valentine
Fingerhut	Mink	Velazquez
Fish	Moakley	Vento
Flake	Molinari	Visclosky
Foglietta	Mollohan	Volkmer
Foley	Montgomery	Vucanovich
Ford (MI)	Moran	Walsh
Ford (TN)	Morella	Waters
Frank (MA)	Murphy	Watt
Franks (CT)	Murtha	Waxman
Frost	Nadler	Whitman
Furse	Neal (MA)	Williams
Gejdenson	Neal (NC)	Wilson
Gephardt	Nussle	Wise
Geren	Oberstar	Woolsey
Gillmor	Oliver	Wyden
Gilman	Ortiz	Wynn
Glickman	Orton	Yates
Gonzalez	Owens	

## NOES—132

Allard	Army	Baker (CA)
Archer	Bachus (AL)	Ballenger

Barca	Goodling	Miller (FL)
Barrett (NE)	Goss	Moorhead
Bartlett	Greenwood	Myers
Barton	Gunderson	Obey
Bateman	Hancock	Oxley
Bentley	Hansen	Packard
Bereuter	Hastert	Paxon
Bilirakis	Hefley	Petri
Billiey	Herger	Pombo
Boehner	Hobson	Portman
Bonilla	Hoekstra	Pryce (OH)
Bunning	Hoke	Ramstad
Burton	Houghton	Regula
Buyer	Hunter	Ridge
Camp	Hutchinson	Roberts
Canady	Hyde	Rohrabacher
Clinger	Inglis	Roth
Coble	Istook	Royce
Collins (GA)	Johnson, Sam	Santorum
Combest	Kasich	Saxton
Cox	Kim	Schaefer
Crane	King	Schiff
Crapo	Kingston	Sensenbrenner
Deal	Knollenberg	Shuster
DeLay	Kolbe	Skeen
Dickey	Kyl	Smith (MI)
Doolittle	Levy	Smith (TX)
Dornan	Lewis (CA)	Spence
Dreier	Lewis (FL)	Stearns
Duncan	Lewis (KY)	Stenholm
Dunn	Lightfoot	Stump
Ehlers	Linder	Talent
Emerson	Livingston	Taylor (NC)
Everett	Lucas	Thomas (WY)
Ewing	Manzullo	Upton
Fawell	McCandless	Walker
Fields (TX)	McCollum	Weldon
Fowler	McHugh	Wolf
Franks (NJ)	McInnis	Young (AK)
Gekas	McKeon	Young (FL)
Gilchrest	Mica	Zeliff
Goodlatte	Michel	Zimmer

## NOT VOTING—41

Ackerman	Grandy	Ravenel
Applegate	Hayes	Roukema
Baker (LA)	Hutto	Shaw
Berman	Inhofe	Slatery
Brooks	Johnston	Smith (OR)
Callahan	Lantos	Solomon
Calvert	Lipinski	Spratt
Fields (LA)	McCrary	Sundquist
Gallegly	McCurdy	Synar
Gallo	McDade	Thompson
Gibbons	McMillan	Towns
Gingrich	McNulty	Washington
Gordon	Mineta	Wheat
Grams	Quillen	

## □ 1426

The Clerk announced the following pairs:

On this vote:

Mr. Berman for, with Mr. Ackerman against.

Mr. Mineta for, with Mr. Solomon against.

Mr. Calvert for, with Mr. Grams against.

Mr. Wheat for, with Mr. Quillen against.

Mr. GILLMOR changed his vote from "no" to "aye."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on the conference report on H.R. 6, which was just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

# SCHEDULE FOR SUBMITTING AMENDMENTS FOR PREPRINTING TO H.R. 5044, AMERICAN HERITAGE AREAS PARTNERSHIP PROGRAM ACT OF 1994

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, the rules committee may grant a rule for H.R. 5044, American Heritage Areas Partnership Program Act of 1994, that would require amendments to be printed in the amendment section of the CONGRESSIONAL RECORD prior to the bill's consideration.

The tentative schedule of the House would seem to indicate that the bill may be considered as early as Tuesday, October 4, 1994. To ensure Members rights to offer amendments under the rule, they should submit those amendments for preprinting in the CONGRESSIONAL RECORD by the close of business on Monday, October 3, 1994.

Amendments should be titled "Submitted for printing under clause 6 of rule XXIII" and submitted at the Speaker's table. Amendments do not need to be submitted to the Rules Committee.

Mr. Speaker, let me repeat that Members should have their amendments to H.R. 5044 printed in Monday's CONGRESSIONAL RECORD.

## NATIONAL TREATMENT IN BANKING ACT OF 1994

The SPEAKER pro tempore (Mr. PETERSON of Florida). Pursuant to House Resolution 543 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4926.

## □ 1429

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4926) to require the Secretary of the Treasury to identify foreign countries which may be denying national treatment to U.S. banking organizations and to assess whether any such denial may be having a significant adverse effect on

## PERSONAL EXPLANATION

Mr. GALLEGLY. Mr. Speaker, I was unavoidably not present for the votes today on the conference report to H.R. 6, Improving American Schools Act. Had I been present, I would have voted "nay" on the rule, "aye" on the motion to recommend, and "nay" on final passage.

such organizations, and to require Federal banking agencies to take such assessments into account in considering applications by foreign banks under the International Banking Act of 1978 and the Bank Holding Company Act of 1956, with Mr. BARLOW in the chair.

The Clerk read the title of the bill.

□ 1430

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Massachusetts [Mr. FRANK] will be recognized for 30 minutes, and the gentleman from Iowa [Mr. LEACH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER], the sponsor of the bill.

Mr. SCHUMER. Mr. Chairman, let me begin by expressing my sincere thanks to my coauthor, the gentleman from Iowa [Mr. LEACH], to the gentleman from Texas [Mr. GONZALEZ], and the staff of the Committee on Banking, Finance and Urban Affairs, and especially to the gentleman from Massachusetts [Mr. FRANK], and the staff of his Subcommittee on International Development, Finance, Trade and Monetary Policy, who worked exceptionally hard to shepherd this legislation through the process today to the floor today.

Mr. Chairman, I am most pleased this measure is before the full House for consideration. I would urge my colleagues to cast an affirmative vote on an important issue in the U.S. financial services industry which accounts for fully 6 percent of our GNP and for America's position in the global economy. The National Treatment in Banking Act represents a positive, creative step in this direction by establishing American insistence on the consistent application of the national treatment principle for banking organizations worldwide.

Simply put, the objective of H.R. 4926 is to provide an effective tool to encourage nations around the world to grant U.S. banking organizations and, by extension, to all foreign banks the same rights to do business in their respective national markets as they do in their domestic banks. So what this bill does, Mr. Chairman, is very simple. It expands the notion of financial services. It is not a protectionist measure but quite the opposite. It provides our government tools to open up foreign markets that have not been fair to us.

National treatment, as everyone knows, means that our banks have to be treated like other banks. And it is a principle, I think, we all can agree upon.

It is particularly important at this time, in light of the urgent need to ne-

gotiate a satisfactory agreement on financial services as part of the GATT. It is designed, as I say, to open up foreign markets, not close American markets. It seeks to establish a level playing field that permits open, fair competition. It has the support of the administration and bipartisan support. The gentleman from Iowa [Mr. LEACH], the gentleman from Nebraska [Mr. BEREUTER], and others have been strong advocates from the other side of the aisle.

For these and many other reasons, I urge my colleagues to vote yes and strike a blow for the kind of fair and open rules of competition that create wealth and prosperity, not only for the United States but for the global community of nations.

Mr. Chairman, permit me to begin by expressing my sincere thanks to my coauthor, Mr. LEACH, to Chairman GONZALEZ and the Banking Committee staff, and especially to Chairman BARNEY FRANK and the staff of his Subcommittee on International Development and Finance, who worked exceptionally hard to shepherd this legislation through the process to the floor today.

Mr. Chairman, I am most pleased that this measure is before the full House for consideration today. I would urge all my colleagues to cast an affirmative vote for a bill that addresses an important issue for the U.S. financial services industry, which accounts for fully 6 percent of our GNP, and for America's position in the global economy. I have long been involved in efforts to assure a level playing field for financial services worldwide by trying to open foreign markets still closed to U.S. banks, securities firms, and insurance companies. The National Treatment in Banking Act of 1994 represents a positive, concrete step in this direction by clearly establishing American insistence on the consistent application of the national treatment principle for banking organizations worldwide. It would amend U.S. banking laws to: (1) require the Secretary of the Treasury to identify countries that deny national treatment, with significant adverse effects, to U.S. banks; (2) authorize the Treasury Secretary to publish such assessment; and (3) require U.S. banking regulators to take such Treasury notices into account in deciding applications by foreign banks seeking to establish new entities in the United States. The bill would not affect foreign banking offices already established and operating in the United States.

Simply put, the objective of H.R. 4926 is to provide an effective tool to encourage nations around the world to grant to U.S. banking organizations—and by extension to all foreign banks—the same rights to do business in their respective national markets as they grant to their domestic banks. In the case of the United States, this means affording to U.S. banks overseas nothing more—but nothing less—than the national treatment the United States affords to foreign banks operating in our market, something we've been doing as a matter of law since we passed the International Banking Act 16 years ago. American providers of financial services are the unquestioned world leaders in innovation, quality, and efficiency,

and it is really unacceptable that they continue to face trade barriers that deny them the opportunity to compete fairly in significant overseas markets. They should be permitted to enter and operate in foreign markets in the same way that foreign banks and financial institutions have access to the large and lucrative U.S. market.

Mr. Chairman, this bill is particularly important at this time in light of the urgent need to negotiate a satisfactory agreement on financial services as part of the General Agreement on Trade in Services [GATS]. The Uruguay round negotiations, completed last December, failed to achieve an adequate convention on financial services, but allowed a limited period for further talks in this realm of critical importance to today's global economy and to America's place in it. But the clock is ticking—this negotiating period could end as early as mid-1995—and therefore it is imperative that the U.S. Congress act now to maintain pressure on America's trading partners to resolve the remaining issues and reach a multilateral accord that ensures fairness for all financial service providers, including American ones.

Mr. Chairman, this bill is designed to open foreign markets, not close the American market. It seeks to establish and enforce a level playing field that permits open, fair competition among all nations. While I share the wishes of many that the securities and insurance industries be included in this legislation, that goal unfortunately is not practical at this time, and we should proceed now with a bill I hope and believe we can pass, a bill that will still contribute very positively to the ultimate, broader objective of ensuring fairness for all financial service providers. Let us take advantage now of a real opportunity not only to send a clear signal of our concerns and intentions, but also to pass a bill that permits us to take meaningful and effective action when justified. The National Treatment in Banking Act has administration and strong bipartisan support; Mr. LEACH, Mr. BEREUTER, and others have been strong advocates from the other side of the aisle on the Banking Committee, which reported the bill out by unanimous voice vote.

For all of these and many other reasons, Mr. Chairman, I urge my colleagues in the House to vote yes, and thus strike a blow for the kind of fair and open rules of competition that create wealth and prosperity not only for the United States, but for the global community of nations.

Mr. LEACH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first let me just stress, this resolution is very heavy in principle and a bit lighter on implementation. But it does make clear to the world that this Congress expects equal treatment for our financial institutions.

It also makes clear to the world that fair trade and financial institutions is a matter of high priority in this Congress and high vigilance in future Congresses.

I would simply like to stress that unfortunately GATT to date has not yet well-addressed the financial services issue.

I would also like to stress that in one sense, financial services are just like



any other industry. They involve employment. They involve a great deal of labor-intensive effort. But unlike other industries, financial services are the grease for virtually everything else. That is what credit extension is all about.

So this particular industry is particularly important. It is one that we lead the world in. It is one that we should not shy away from making clear that we expect equal competitive laws being adopted.

Finally, let me just express particular thanks to the leadership of the gentleman from New York [Mr. SCHUMER], and the gentleman from Massachusetts [Mr. FRANK], as well as the gentleman from Nebraska [Mr. BEREUTER], on our side of the aisle. I would say in this regard that if it were not for the insistence of the gentleman from Massachusetts [Mr. FRANK], that this issue not be ducked, we would not be dealing with it late in this Congress. So for him in particular, this Member would like to express great admiration.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. GONZALEZ], who I must say has helped the Committee on Banking, Finance and Urban Affairs compile in housing and interstate banking, et cetera, a very impressive legislative record this year.

Mr. GONZALEZ. Mr. Chairman, I rise in strong support. I want to complement the gentleman from Massachusetts [Mr. FRANK], the gentleman from New York [Mr. SCHUMER], the minority leader and his associates on the minority side, the gentleman from Iowa [Mr. LEACH].

Mr. Chairman, the National Treatment in Banking Act was adopted unanimously in the Banking Committee.

This legislation is not a complex bill. It directs the Treasury Department conduct an annual survey and determine if other nations provide national treatment, that is, do these foreign countries treat U.S. banks the same way they treat their own domestic financial institutions?

This policy of national treatment has been the official position of the United States for over a generation since the passage of the International Banking Act of 1978.

The remainder of the bill says that if foreign countries do not provide U.S. firms with national treatment, we reserve the right to possibly deny applications from banks in these countries that seek to open or extend business activities in the United States.

This legislation should not be controversial; it is not a trade agreement nor will it, under any circumstances, precipitate retaliation measures.

It is commonsense, about-time, reversal of the United States all-too-often role of being the patsy of the international financial markets.

Fortunately, most of the important members of the world financial community provide U.S.

firms with national treatment and access to their domestic markets. Nothing in this bill affects our relationships with these countries or our international treaties.

There are notable exceptions where countries enjoy having their banks do business in the United States but deny, either by law or regulation, business opportunities for our firms in their country. It is simply unfair that they can have it both ways. Their one-way street policy leaves our firms competing with their banks in the United States, even without the opportunity to enter the domestic market of the foreign country.

The Banking Committee believes enough is enough. It is time for a realistic policy because at stake are U.S. jobs and economic opportunities for U.S. firms. Very simply, the issue is fairness.

I commend Chairman FRANK for his leadership for bringing this bill to the floor and I applaud the two sponsors of the bill, Congressman CHUCK SCHUMER and Congressman JIM LEACH for putting together the bipartisan coalition who will today pass this legislation.

Mr. LEACH. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER], whose leadership on this issue has been so impressive.

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of the National Treatment in Banking Act of 1994, H.R. 4926, and this Member would like to commend the gentleman from Texas, the chairman of the committee, Mr. GONZALEZ, the gentleman from Iowa, the ranking minority member, Mr. LEACH, particularly the gentleman from Massachusetts, the chairman of the Subcommittee on International Development, Finance, Trade and Monetary policy, Mr. FRANK for his innovative approach which is the basis of this legislation, and the gentleman from New York, the legislation's sponsor, Mr. SCHUMER, for their hard work in bringing this legislation to the floor.

Mr. Chairman, the National Treatment in Banking Act of 1994 is important legislation which will help open foreign financial service markets to U.S. banks.

First, this legislation requires the Secretary of the Treasury to identify foreign countries which unfairly deny national treatment to U.S. banks or simply treat U.S. banks differently than domestic banks.

Second, this legislation requires the Secretary of the Treasury to assess whether a foreign country's denial of national treatment is having an adverse impact on U.S. banking organizations.

Third, this legislation requires that Federal banking agencies consider the Secretary of the Treasury's finding when evaluating applications for overseas financial firms wishing to conduct business here in the United States.

Mr. Chairman, in nearly every service and industrial sector the United States is, perhaps, the most open market in the world. Since World War II,

the United States vast and lucrative market has been the world's engine of growth for the war-torn countries of Europe and Japan. More recently, the United States market has stimulated the export-driven economies of countries like Korea, Taiwan, Singapore, Thailand, and now China.

Unfortunately Mr. Chairman, the United States past policy to stimulate foreign economies by encouraging them to export here has, perhaps, worked too well. Now, the United States is faced with chronic trade deficits—like July's whopping \$11 billion trade deficit in goods and services.

What then, Mr. Chairman, should the United States do to remedy our chronic trade deficits? There are those who say, we must erect barriers immediately to stem the flow of foreign goods; however, Mr. Chairman, this simple response is not the answer. Unfortunately, the U.S. Congress tried that philosophy in the Smoot-Hawley legislation of the 1930's and it only precipitated a serious depression and financial disaster for the country.

No, Mr. Chairman, we must attempt to give U.S. goods and service exporters a level playing field by attempting to lower barriers to foreign markets rather than by raising our own. Of course, retaliation against foreign countries in the form of higher tariffs and denied market access must always be a last-resort possibility, but first we must attempt to encourage foreign countries to open their markets to U.S. goods and services.

Mr. Chairman, in many sectors and industries, United States trade officials have long enjoyed the use of trade remedies which enable them to persuade foreign countries to open their markets. For example, trade officials have used section 301 trade legislation to open foreign markets for U.S. goods and service exports covered under bilateral and multilateral trade agreements. Additionally, U.S. trade officials have another tool, special 301 trade legislation, to require that foreign countries respect the intellectual property rights of U.S. patent and copyright holders.

But unfortunately, Mr. Chairman, U.S. trade officials and negotiators have not been given the appropriate tools—or crowbars as Secretary of the Treasury, Lloyd Bentsen puts it—to pay open foreign markets for the U.S. financial services industry.

Mr. Chairman, the National Treatment in Banking Act of 1994, strikes the appropriate balance in attempting to open up overseas financial markets to U.S. banking organizations. While it does not automatically sanction foreign economies for restricting access to U.S. banking organizations, it approximately requires that Federal financial regulatory agencies consider the foreign treatment of U.S. banks

when evaluating applications for overseas financial firms wishing to conduct business here in the United States.

Mr. Chairman, this Member was very disappointed that U.S. trade officials failed to reach a successful agreement on trade in financial services during the last stages of negotiations of the Uruguay round trade agreement. Nevertheless, by prospectively applying this national treatment policy to foreign banks wishing to enter or expand in the United States, U.S. negotiators—who have long sought a level playing field for U.S. financial institutions in world markets—should finally have the tools and negotiating leverage to accomplish this important task.

Frankly, Mr. Chairman, this legislation is long overdue. Action on the issue has been delayed, in part, by committee jurisdictional disputes. One of the results is that, despite their worldwide recognition as innovative leaders, U.S. banks have fallen completely off the list of the world's largest 25 banks in the last 10 years. Nevertheless, Mr. Chairman, it is not too late; by passing this legislation, we can help ensure that U.S. financial institutions are treated fairly in competing for markets in foreign countries. Therefore, this Member strongly urges his colleagues to support this legislation.

Mr. DEUTSCH. Mr. Chairman, I think it vital that, before we adjourn, we pass H.R. 4926, the National Treatment in Banking Act, in order to insure that American banks receive fair access to overseas markets. However, before we vote, I want to make my colleagues aware of several provisions contained in the recently passed Riegle-Neal interstate banking bill that may cause American banks to have problems overseas. I refer to the fact that there are several provisions contained in this bill that will make it significantly more difficult for foreign banks operating in this country to expand their operations. We need to address these problems in the next Congress.

In the interstate bill, we adopted the basic philosophy that foreign banks should be treated exactly the same as domestic banks. Unfortunately, the interstate bill does not recognize that most foreign banking organizations operating in the United States are fundamentally different than domestic banks. The interstate bill overlooks a fundamental difference between these two types of institutions: Foreign branches do not take insured retail deposits, whereas domestic branches do. And I'm not just speculating about industry practice. Rather, I'm talking about three fundamental legal distinctions contained in the 1991 Foreign Bank Supervision Enhancement Act and in the interstate bill. First, foreign banks cannot operate FDIC-insured retail branches. Second, foreign banks cannot carry Federal deposit insurance. Third, the interstate bill provides that foreign banks cannot accept deposits of less than \$100,000 unless the total amount of such deposits does not exceed 1 percent of the average deposits in the branch.

So, foreign bank branches are institutions which deal only in wholesale activities. Their customer base is not retail depositors, but

rather industries involved in the provision of export financing. An excellent example was provided by Florida's senior U.S. Senator, BOB GRAHAM, in the September 13, 1994, CONGRESSIONAL RECORD, at page S 12781.

I was recently in a conversation with an American business person who is involved in the sale of United States agricultural products, primarily in the Caribbean and Latin America, and that individual told me that the typical transaction . . . for the sale of an American agricultural product to Argentina is to have an Argentine bank in the United States provide the letters of credit and other export financing which are the essential ingredients to making the transaction viable. Without ready access to these foreign banks and their branches, it makes that transaction a more difficult one.

In the Miami area alone, there are over 70 offices of foreign banks. These banks have been a very important component of our State's ability to enhance export opportunities. They've also been equally important in California, New York, Illinois, Texas, and Washington State.

Mr. Chairman, I am concerned that because of these limitations, foreign banks who are so important to the export financing of U.S.-made products and services, will not be able to expand. Today, States make their own determinations about how they want to treat foreign banks. Unfortunately, the interstate bill prevents States from making that determination. We need to change Federal law in a way which recognizes the basic differences between wholesale activities of foreign banks and retail activities of domestic banks, so that all States may be able to take advantage of the export-enhancing operations of foreign banks.

Mr. Chairman, as we consider the National Treatment in Banking Act, to encourage countries to allow U.S. banks greater market access, we must realize that we are passing laws that enact impediments to banks from other countries which wish to operate on a national basis here. This is not so much a foreign bank issue as it is an issue related to the effective marketing and exporting of American products.

Next year, I hope that Congress will give serious attention to legislation which returns to the States their ability to allow entry by foreign banks. In addition, I hope that the Banking Committee will look more closely at this issue and its impact on American exports.

Mrs. ROUKEMA. Mr. Chairman, I rise in support of H.R. 4926, the National Treatment in Banking Act.

I want to commend the authors of this legislation, our Banking Committee colleague from New York, Mr. SCHUMER, and our own ranking member, Mr. LEACH, for their strong and persistent support for the equalization of treatment for U.S. banks who operate in foreign nations.

I also want to commend our colleague, Mr. FRANK for his efforts as the chairman of our International Development and Financial Institutions Subcommittee to fashion a bill which addresses the concerns of the Banking Committee while not treading on the jurisdiction of several other committees with jurisdiction over international trade issues.

H.R. 4926 directs the Treasury Secretary, in consultation with Federal banking agencies, to

identify foreign countries that deny national treatment, such as equal access to competitive markets, to U.S. banking companies and to assess whether denial of this treatment is adversely affecting U.S. financial institutions.

If there is such a determination, the Secretary is instructed to publish the findings in the Federal Register and the regulators are to take this into consideration when considering applications and notices filed by foreign banks.

This is good legislation which helps provide important and equal treatment for our banks operating abroad.

I urge passage of this legislation.

Mr. ROTH. Mr. Chairman, the bill before us, H.R. 4926, the National Treatment in Banking Act of 1994, is worth enacting even though it is a mere shadow of its former self.

It is better than nothing, however, and so I urge my colleagues to join me in voting for this limited trade-related legislation.

This legislation would direct the Treasury Secretary to identify those countries that do not provide U.S. banks national treatment—that is, the same competitive opportunities that are provided a foreign country's own domestic banks.

Then the Secretary would be directed to determine whether this abuse were having a significant adverse effect on the affected U.S. banks.

His determination would have to be published in the Federal Register.

The rub would come when and if that foreign bank were to make an application to do business in the United States under the International Banking Act or Bank Holding Company Act.

Federal bank regulators would then be required to take into account whether a foreign bank's host country had been cited in the Federal Register for not providing national treatment.

The regulators would be given the power to reject the foreigner's banking application.

The facts are, witnesses told our committee earlier this year, some foreign governments are making Uncle Sam and the rest of us look like saps.

"Our U.S. financial services sector is one of the world's most innovative and competitive, yet we face many foreign barriers that limit our ability to penetrate markets abroad," said Marc E. Lackritz, president of the Securities Industry Association.

Foreign financial services providers, taking advantage of a captive customer base to their benefit, have stepped in to provide the financial services our long-standing customers need overseas.

At the same time, these same foreigners have entered the U.S. capital markets where tremendous opportunities for expansion are joined with the open regulatory environment that does not exist elsewhere.

Thus, our foreign competitors have exploited a structural advantage: Protection at home, unfettered opportunity in the United States.

The President wants this bill passed this year because he hopes it will be in time to influence the outcome of the GATT Uruguay round of trade talks on financial services.

It is certainly true that the GATT talks will deeply involve conditions under which banks and other services will operate in foreign lands.



As presented to the Congress, the GATT accord would not open up financial services to U.S. banks, insurers, or securities firms.

That is the heart of the issue addressed by this legislation—opening up foreign markets to U.S. financial services companies—particularly in the emerging financial markets in Asia and Latin America.

In fact, all that GATT would do for financial services, when and if approved by the Congress, would be to set a 2-year timeframe for continued negotiations on financial services.

Our goal in this legislation today is simple: To ensure that U.S. bankers are treated by other countries the same way foreign financial companies are treated in the U.S. market.

That is called national treatment—and that concept was resisted strongly in the GATT talks.

As originally drafted, this legislation would have closed the American market to foreign financial companies if their home country does not grant equal access to U.S. financial firms.

I voted for this broader version, and there was strong bipartisan support for it.

After all, overseas banking generated \$5.4 billion in income for U.S. financial companies in 1992, and generated a \$2 billion trade surplus for the United States.

It should be plain for anyone to see why it is so important to the United States that GATT rules be extended to services.

In 1992, we had an \$84 billion deficit in merchandise trade.

But our services sector generated a \$60 billion surplus—offsetting three-fourths of our merchandise deficit.

Last year, 1993, our merchandise deficit shot up to \$116 billion—but our services trade again generated a \$60 billion surplus.

The message is clear—services is an area where the United States is able to win in foreign markets.

So, we are going to insist that our services firms have access to foreign markets, or GATT will have a very shaky future in the U.S. Congress.

The course of events in the GATT talks on financial services will be a factor in how we ultimately act and operate under the GATT accord.

If there continues to be a stonewall against our services companies in foreign markets, then our Government negotiators need this legislation—even though it is limited only to banks and not to securities and insurance companies.

Congress, in the International Banking Act of 1978 and subsequent legislation, provided national treatment for foreign banks in the United States.

But, 16 years later, some foreign countries still do not provide national treatment for our banks.

I am talking about such countries as Brazil, Korea, India, Taiwan, and Japan—all of whom still being relatively closed to United States banks and other financial services despite more than a decade of bilateral negotiations on market access.

Clearly, more arrows are needed in our quiver of trade weapons if we are to obtain significantly greater access for financial services.

This bill would be such an additional weapon. I favor this measure because in today's

world of emerging democracies our financial services industry could provide the financial fuel and leadership for these new, struggling economies.

American financial institutions, risking life and limb of their people as well as their money and credit in unlikely places, deserve this helping hand from their government.

The Committee on Banking, on which I serve, approved a broader bill, H.R. 3248, the Fair Trade in Financial Services Act, by voice vote on March 9, 1994.

The Senate has passed similar legislation several times. But we cannot get a vote on this in the House.

While the bill before us today applies only to banking, the earlier measure covered the securities and insurance industries as well.

That earlier bill had more teeth in it too: It would have authorized the Treasury Secretary—not the Secretary of State or the U.S. Trade Representative—to negotiate directly with foreign countries to provide more competitive opportunities of suffer being closed out of the U.S. market.

But the bill stalled because the Ways and Means Committee and the Energy and Commerce Committee objected to it as an infringement on their jurisdictions.

For these same reasons, we were unavailing in our efforts to incorporate the earlier bill in the omnibus banking bill, H.R. 3474, the Community Development Financial Institutions Act. That bill became law on September 23, 1994, as Public Law 103-325.

So we are left with this scaled-back version. And we have no idea about what the other body would do if we sent this version over to it.

There is one feature that I do like about this bill: The Congressional Budget Office says enactment of H.R. 4926 would result in no significant costs to the taxpayers.

This measure deserves our attention and considered action at this time. I urge my colleagues to vote for this bill.

Mr. FINGERHUT. Mr. Chairman, I rise in strong support for the National Treatment in Banking Act which is designed to help our government open foreign markets for U.S. banking organizations.

First, let me commend my colleagues on the Banking Committee, Subcommittee Chairman BARNEY FRANK and Full Committee Chairman GONZALEZ, for their hard work on this important legislation.

Briefly, Mr. Chairman, the problem we are trying to address with this legislation is that some foreign countries do not provide U.S. banks with the same treatment as they provide to their own domestic banks. This is referred to as "national treatment." This legislation directs the Secretary of the Treasury to identify foreign countries where U.S. banking organizations are adversely affected by a denial of national treatment. The bill then amends various banking statutes to require the Federal banking agencies to take into account the Treasury's evaluation of a foreign bank's home country when they act on the foreign bank's application to enter or to expand activities in the U.S. market.

Ultimately, this bill will create pressure that will help open foreign markets for U.S. banks.

Since the United States is generally considered to provide national treatment to foreign

banks, it is only reasonable to expect that U.S. banks seeking to operate in other nations receive the same treatment.

I join my colleagues from the Banking Committee in supporting this bill.

Mr. LEACH. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered under the 5-minute rule by sections and each section shall be considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 4926

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Treatment in Banking Act of 1994".*

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

#### SEC. 2. FAILURE TO ACCORD NATIONAL TREATMENT TO UNITED STATES BANKING ORGANIZATIONS.

(A) IDENTIFYING COUNTRIES THAT MAY BE DENYING NATIONAL TREATMENT TO UNITED STATES BANKING ORGANIZATIONS.—The Secretary of the Treasury shall identify, after consultation with the Federal banking agencies, the extent to which foreign countries may be denying national treatment to United States banking organizations.—

(1) based on information relating to banking in the most recent report under section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (or the most recent update of such report); or

(2) based on more recent information that the Secretary considers appropriate.

(b) ASSESSING WHETHER POSSIBLE DENIAL OF NATIONAL TREATMENT MAY BE HAVING A SIGNIFICANT ADVERSE EFFECT.—

(1) IN GENERAL.—The Secretary shall assess, after consultation with the Federal banking agencies, whether the possible denial of national treatment to United States banking organizations by a foreign country identified under subsection (a) may be having a significant adverse effect on such organizations.

(2) FACTORS TO BE CONSIDERED.—In making any assessment under paragraph (1), the Secretary shall consider appropriate factors, including the following:

(A) The extent of United States trade with and investment in the foreign country, the size of the foreign country's markets for banking services, and the extent to which United States banking organizations operate or seek to operate in those markets.

(B) The importance of operations by United States banking organizations in the foreign country to the export of goods and services by United States firms to such country.

(C) The extent to which the foreign country provides in advance to United States banking organizations a written draft of any measure of general application that the country proposes to adopt, such as regulations, guidelines, or other policies regarding new products and services, in order to allow an opportunity for such organizations to comment on the measure and for such comments to be taken into account by the foreign country.

(D) The extent to which the foreign country—

(i) makes available, in writing, to United States banking organizations the foreign country's requirements for completing any application relating to the provision of financial services by any such organization;

(ii) applies published, objective standards and criteria in evaluating any such application from any United States banking organization; and

(iii) renders administrative decisions relating to any such application within a reasonable period of time.

(3) **SOLICITATION OF COMMENTS.**—Before making any assessment under paragraph (1), the Secretary may solicit comments concerning the effect of the possible denial of national treatment on United States banking organizations from interested parties.

(c) **PUBLICATION.**—The Secretary may publish a notice in the Federal Register of—

(1) any assessment made under subsection (b)(1) with respect to any country; and

(2) any change made with respect to any assessment under such subsection which was previously published in the Federal Register.

(d) **DEFINITIONS.**—The following definitions shall apply for purposes of this section:

(1) **BANKING ORGANIZATION.**—

(A) **IN GENERAL.**—The term "banking organization" means any bank, any bank holding company (including any company required to file reports pursuant to section 4(f)(6) of the Bank Holding Company Act of 1956), and any savings and loan holding company (as such term is defined in section 10(a)(1)(D) of the Home Owners' Loan Act).

(B) **BANKING TERMS.**—For purposes of this paragraph, the terms "bank" and "bank holding company" have the same meaning as in section 2 of the Bank Holding Company Act of 1956.

(2) **FEDERAL BANKING AGENCIES.**—The term "Federal banking agencies" has the same meaning as in section 3(z) of the Federal Deposit Insurance Act.

(3) **NATIONAL TREATMENT.**—The term "national treatment" means, with respect to any foreign country, treatment that offers United States banking organizations the same competitive opportunities (including effective market access) in such country as are available to the foreign country's domestic banking organizations in like circumstances.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Treasury.

The CHAIRMAN. Are there any amendments to section 2?

AMENDMENT OFFERED BY MR. DREIER

Mr. DREIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER: Page 2, line 10, strike "The Secretary" and insert "Effective as of the date of the enactment of an Act establishing expedited procedures for the consideration in the Senate and the House of Representatives of a bill submitted by the President to implement trade agreements with respect to financial services, the Secretary".

Mr. DREIER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Chairman, this bill is intended to represent a carrot and stick approach to negotiating financial services agreements. While I am con-

cerned with any prospect that barriers will be imposed on trade in banking services, at least the goal of this legislation is to promote the opening of foreign markets to more free trade.

I was concerned that the failure to extend fast-track trade negotiating authority to the administration as part of the Uruguay Round Agreement implementing legislation had upset the balance of this proposal by denying the administration the tools needed to negotiate financial services national treatment agreements. We would be left with a stick but no carrot.

□ 1440

During fast-track negotiations for the Uruguay round legislation, administration representatives repeatedly argued that extension of fast-track is critical to completing new trade agreements. One of the negotiating touted by the administration was in the area of financial services. The case was made that when the administration's fast-track authority expires upon adoption of the legislation implementing the Uruguay Round Agreement, trade negotiations, including those dealing with banking and financial services, would be left in a state of suspended animation.

My response to this apparent loss of negotiating authority was to prepare an amendment to delay implementation of this bill until fast-track authority is extended to the administration for financial service negotiations. However, when I discussed this amendment with representatives of the Treasury Department, I was told that they believe that they had the authority to negotiate national treatment in banking agreements without fast-track authority. It appears that at least in the area of financial services, fast-track authority is not as pressing a concern as some might have thought.

Mr. Chairman, I would like to engage the chairman of the subcommittee in this matter.

Mr. Chairman, I would ask the gentleman from Massachusetts [Mr. FRANK], is it his understanding that while the administration would have preferred to have fast-track authority for the completion of the Uruguay round financial services negotiations, they believe that they have adequate authority to successfully complete these negotiations without the fast-track procedures?

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DREIER. I am happy to yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, that is the understanding. The administration does believe it has adequate authority to agree to the financial services negotiations under the Uruguay round. They

point to section 135 of the implementing bill, which does set up negotiating objectives for continued talks and financial services.

They also know that the statement of administrative action establishes procedures for reporting to Congress and for consultation with both Congress and industry throughout the negotiation period.

Mr. DREIER. I thank the gentleman.

Mr. LEACH. Mr. Chairman, will the gentleman yield?

Mr. DREIER. I am happy to yield to the gentleman from Iowa, the distinguished ranking member.

Mr. LEACH. Mr. Chairman, the explanation the gentleman has given is similar to the views of this gentleman. I would simply stress that it is my view that the administration has not given near high enough priority to date to the financial services issue, and that, quite frankly, it is something that must be done.

This bill partly moves in the direction of expressing congressional concern, but I think it should be understood as critical that GATT also include financial services. I would simply hope that that message be conveyed to those conducting negotiations on behalf of the United States at this time.

Mr. DREIER. Mr. Chairman, that happens to be our goal here.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will designate section 3. The text of section 3 is as follows:

### SEC. 3. APPLICATIONS BY FOREIGN BANKS AND OTHER PERSONS OF A FOREIGN COUNTRY.

(a) **APPLICATIONS UNDER THE INTERNATIONAL BANKING ACT OF 1978.**—Section 7(d) of the International Banking Act of 1978 (12 U.S.C. 3105(d)) is amended by adding at the end the following new paragraph:

"(6) **ADDITIONAL STANDARD.**—In acting on any application under paragraph (1), the Board shall take into account whether the Secretary of the Treasury has published a notice, in accordance with section 2(c) of the National Treatment in Banking Act of 1994, that the possible denial of national treatment to United States banking organizations by the foreign bank's home country identified under section 2(a) of such Act may be having a significant adverse effect on such organizations."

(b) **APPLICATIONS UNDER THE BANK HOLDING COMPANY ACT OF 1956.**—Section 5 of the Bank Holding Company Act of 1956 (12 U.S.C. 1844) is amended by adding at the end the following new subsection:

"(g) **APPLICATIONS BY A FOREIGN BANK.**—In considering any application or notice under section 3 or 4 by any foreign bank (as defined in section 1(b) of the International Banking Act of 1978), the Board shall take into account whether the Secretary of the Treasury has published a notice, in accordance with section 2(c) of the National Treatment in Banking Act of 1994, that the possible denial of national treatment to United States banking organizations by the foreign bank's home country identified under section 2(a) of such Act may be having a significant adverse effect on such organizations."



(c) AMENDMENT TO CHANGE IN BANK CONTROL ACT.—Section 7(j) of the Federal Deposit Insurance Act (12 U.S.C. 1817(j)) is amended by adding at the end the following new paragraph:

“(19) NOTICE BY A PERSON OF A FOREIGN COUNTRY.—

“(A) IN GENERAL.—In considering a notice under this subsection by a person of a foreign country, the appropriate Federal banking agency shall take into account whether the Secretary of the Treasury has published a notice, in accordance with section 2(c) of the National Treatment in Banking Act of 1994, that the possible denial of national treatment to United States banking organizations by such person's home country identified under section 2(a) of such Act may be having a significant adverse effect on such organizations.

“(B) PERSON OF A FOREIGN COUNTRY DEFINED.—For purposes of this paragraph, the term ‘person of a foreign country’ means—

“(i) any entity that—

“(I) is organized under the laws of the foreign country, or

“(II) has the entity's principal place of business in the foreign country;

“(ii) an individual who—

“(I) is a citizen of the foreign country, or

“(II) is domiciled in the foreign country; and

“(iii) any person that is, directly or indirectly, under the control of any entity or individual described in clause (i) or (ii).”

(d) AMENDMENT TO NATIONAL BANK ACT.—Section 5155 of the Revised Statutes (12 U.S.C. 36) is amended by adding at the end the following new subsection:

“(i) APPLICATION BY A BANK WHICH IS A PERSON OF A FOREIGN COUNTRY.—In considering any application under this section by any bank which is a person of a foreign country (as defined in section 7(j)(19)(B) of the Federal Deposit Insurance Act), the Comptroller of the Currency shall take into account whether the Secretary of the Treasury has published a notice, in accordance with section 2(c) of the National Treatment in Banking Act of 1994, that the possible denial of national treatment to United States banking organizations by such person's home country identified under section 2(a) of such Act may be having a significant adverse effect on such organizations.”

(e) AMENDMENT TO FEDERAL DEPOSIT INSURANCE ACT.—Section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)) is amended by adding at the end the following new paragraph:

“(12) APPLICATION BY A BANK WHICH IS A PERSON OF A FOREIGN COUNTRY.—In considering any merger transaction under this subsection involving any bank which is a person of a foreign country (as defined in section 7(j)(19)(B), the responsible agency shall take into account whether the Secretary of the Treasury has published a notice, in accordance with section 2(c) of the National Treatment in Banking Act of 1994, that the possible denial of national treatment to United States banking organizations by such person's home country identified under section 2(a) of such Act may be having a significant adverse effect on such organizations.”

(f) AMENDMENT TO FEDERAL RESERVE ACT.—The 3d undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 321) is amended in the proviso by inserting “, including section 5155(i) of the Revised Statutes,” after “limitations and restrictions”.

AMENDMENT OFFERED BY MR. DREIER

Mr. DREIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER: Page 10, after line 14, insert the following new section:

#### SEC. 4. CONSISTENCY WITH BILATERAL AND MULTILATERAL AGREEMENTS.

No authority under this Act or any amendment made by this Act to any other law may be used to take any action with respect to a foreign country which is inconsistent with any bilateral or multilateral agreement that governs financial services in which such country is obligated to provide national treatment for United States banking organizations.

Mr. DREIER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Chairman, a free-trade agreement is a very complex, multifaceted agreement that reduces barriers to trade in a wide range of goods and services. Banking and financial services are generally an important part, but only one part, of such an agreement.

The purpose of my amendment is to ensure that countries which have entered free-trade agreements with the United States that include banking are not subject to the enforcement process in this bill.

For example, Mr. Chairman, less than a year ago we passed the North American Free-Trade Agreement. In that we agreed to the general principle of national treatment in financial services, but throughout the agreement there are exceptions to the principle of free trade. In a complex trade agreement, it is possible that U.S. negotiators would agree to provide some exceptions or reservations for our trading partner in the area of banking in exchange for U.S. exceptions in another area.

I do not believe that the national treatment review authority provided to the Treasury Department in this bill should override or call into question those negotiated agreements. In some cases, the United States may have agreed to less than full national treatment. In other cases, if a trade agreement provides for full national treatment in banking services, and that treatment is not provided, the U.S. Government should first use the dispute resolution process contained in the agreement, not resort to unilateral action.

Again, Mr. Chairman, to use NAFTA as an example, if Canada or Mexico were not meeting their commitments in the area of banking services, the appropriate course of action would be to first initiate action through the NAFTA dispute resolution process.

Mr. Chairman, I yield to the distinguished gentleman from Massachusetts [Mr. FRANK], chairman of the subcommittee.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding. We welcome this amendment.

The committee report states that we do not intend for this legislation to alter the obligations of the United States under the international agreement. The gentleman's amendment to the bill removes any possible ambiguity on this point.

Mr. DREIER. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I yield to the gentleman from Iowa [Mr. LEACH], the ranking member of the full committee.

Mr. LEACH. Mr. Chairman, I would only stress that this is a unique legislative circumstance in one sense. This was part of the original bill, and it was not included before it was brought to the floor to avoid certain jurisdictional concerns, but it is a very thoughtful aspect of any approach of this nature. I think it is appropriate that the gentleman from California [Mr. DREIER], from the Committee on Rules, has brought the bill back more precisely to its original intent. It is a welcome amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, I think it is a wonderful amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DREIER].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SCOTT) having assumed the chair, Mr. BARLOW, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4926) to require the Secretary of the Treasury to identify foreign countries which may be denying national treatment to U.S. banking organizations and to assess whether any such denial may be having a significant adverse effect on such organizations, and to require Federal banking agencies to take such assessments into account in considering applications by foreign banks under the International Banking Act of 1978 and the Bank Holding Company Act of 1956, pursuant to House Resolution 543, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

The title of the bill was amended so as to read: "A bill to require the Secretary of the Treasury to identify foreign countries which may be denying national treatment to U.S. banking organizations and to assess whether any such denial may be having a significant adverse effect on such organizations, and to require Federal banking agencies to take such assessments into account in considering certain applications and notices by foreign banks and other persons of a foreign country."

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### CONFERENCE REPORT ON H.R. 4299, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1995

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 555 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 555

*Resolved*, That all points of order against the conference report to accompany the bill (H.R. 4299) to authorize appropriations for fiscal year 1995 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and against its consideration are waived.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield the customary one-half hour to the gentleman from Florida [Mr. Goss], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 555 is the rule providing for the consideration of conference report on H.R. 4299, the Intelligence Authorization Act for fiscal year 1995.

The rule waives all points of order against the conference report and against its consideration. The request of the chairman of the Intelligence Committee for the waivers of points of order that might lie against the conference report, was agreed to by the ranking minority member, and appear to have widespread bipartisan support.

For my colleagues' information, the waivers deal almost entirely with matters of scope. No waiver of the 3-day layover rule, which is often so controversial, was required since the conference report was filed in time to comply with the layover rule.

The conference report does contain several provisions which exceed the scope of the conference. The chairman testified that all of these provisions were included to respond to events which occurred after the House and Senate bills had either been reported or passed.

For example, section 504 limits the reach of a section in the 1995 defense authorization act for fiscal year 1995 which, is not addressed, would undermine the National Security Act's requirement that spending on intelligence programs be specifically authorized.

Section 602 responds to the controversy surrounding the National Reconnaissance Office's headquarters facility by establishing a requirement to clearly delineate intelligence community construction projects with a cost in excess of \$750,000.

In addition, the conference report contains an authorization, contained in the classified schedule of authorizations, for an arms control treaty monitoring activity which the administration did not request until last month.

The chairman testified that these provisions, and other out-of-scope items adopted in conference, address important issues that the conferees felt could not wait to be included in the fiscal year 1996 authorization bill. If the House is to consider these matters this year, the points of order that would otherwise lie against them must be waived.

Mr. Speaker, the conference report of H.R. 4299, authorizes funds for all the intelligence and intelligence-related activities of the United States for the coming fiscal year. It also provides legislative authorities for the conduct of U.S. intelligence activities which are regularly found in an intelligence authorization bill.

The authorization levels in the conference report are classified, but they have been available for review by Members. The amount authorized is approximately 2 percent less than the President's budget request, and 2 per-

cent less than last year's appropriated level.

Mr. Speaker, this bill contains several important provisions, some of which are in response to the Aldrich Ames espionage case which has caused—and I might add, continues to be responsible for—so much concern to all of us who are interested in the successful operation of our intelligence community.

Chief among the provisions approved by the conference committee in response to the Ames case is one strengthening the role of the Federal Bureau of Investigation in counter-intelligence activities.

I commend the committee for the persistence it has shown in dealing with this serious case and for including in this legislation some of the safeguards that must be taken to ensure that this not occur again.

The bill also recognizes the necessity for the entire intelligence community to adjust to the post-cold-war era. It is obvious that the intelligence agencies need to reexamine their overall roles and missions in this new world, and the conferees have given the agencies guidance in this respect.

Mr. Speaker, the Intelligence Committee is also to be commended for attempting to make the intelligence budget reflect the reality of a world significantly changed from a national security standpoint, while ensuring that the United States maintains the ability to provide timely and reliable intelligence to its policymakers and military commanders.

The committee is bringing the intelligence budget down, but in a measured way which preserves essential capabilities and encourages investment in the collection and processing systems which will be needed in the future. Personnel rolls are being trimmed as well and, as a result of actions mandated by Congress 2 years ago, by the end of fiscal year 1997, employment levels will be at least 17.5 percent less than they were in fiscal year 1992.

Despite the demise of the Soviet Union, the world clearly remains an unpredictable and dangerous place. There is a need for effective intelligence, especially in light of the worldwide reduction of U.S. military personnel.

The conference report also requires the intelligence agencies to review their operations, another step which is important in responding to the Ames case and all the events that allowed that case to reach the stage it did.

Spending throughout the national security establishment has been reduced in recent years, and intelligence has been no exception. This was inevitable given the significant changes which have occurred in the world. It is the Intelligence Committee's judgment that neither the reductions made in past years, nor those contained in this



year's bill, will hinder the ability of the intelligence agencies to respond to essential intelligence requirements.

Mr. Speaker, this is a good rule, and I urge my colleagues to approve it so that we may proceed with consideration of this important conference report today.

□ 1450

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule is quite straightforward—in fact, as we work our way through the myriad of conference reports in these closing days of the 103d session, Members should be getting used to seeing such blanket waivers of points of order. Although it is understandable that technical waivers of scope and germaneness may be necessary to ease consideration of these mammoth bills, I do believe it is worthwhile to proceed with the exercise of specifying exactly which waivers are necessary on each conference report and for what reason. Again I wish to remind my colleagues that we generally get in trouble around here when, in a rush to move a bill through, we waive the rules, expedite consideration and end up voting on legislation containing unexpected surprises. I daresay the folks at Lamar University in Texas are still smarting over the spate of undeserved negative publicity that was generated by one such "surprise" item inserted into the recent crime bill conference report, that did for Lamar University what the Edsel did for the Ford Motor Co.

For that reason, I was very glad that Chairman GLICKMAN and ranking member COMBEST were able to complete work on the intelligence authorization conference report in concert with the House schedule to allow Members the customary 3 days' time to review this important bill before today's vote. For the record, I commend Chairman GLICKMAN and ranking member COMBEST for coming to the Rules Committee fully prepared to discuss the specific rules waivers needed and the reasons for those waivers. I certainly hope this trend will continue and expand to all committee chairmen in the 104th Congress.

Regarding the underlying conference report for H.R. 4299, I understand the difficult choices the members of the committee had to make in a somewhat hostile environment of public and official scrutiny and media malevolence toward our Nation's intelligence programs. I remain concerned about the ongoing efforts to scale back—some might even say cripple—our intelligence capabilities by those who harbor the misguided view that somehow the threat to United States security and world stability has disappeared with the Soviet Union. Clearly, that is

not the case—but just as clearly our policymakers have, it seems, and the Clinton Administration in particular, have not made a strong enough case to the American people and those in control of the purse strings regarding the enormous contribution and continued need for accurate, timely, and effective intelligence. I am pleased that this bill provides for a new Commission to review our Nation's intelligence capabilities, a review that should highlight the continuing importance of quality intelligence operations. But I hope that effort will be a cooperative mission to generate productive reforms for the CIA and other intelligence components and, not a slash-and-burn attempt to further weaken our intelligence capabilities. Finally, Mr. Speaker, let me express my disappointment that, despite the hard work and support of ranking member COMBEST, a provision that had been added to the House bill requiring Members of Congress to sign an oath of secrecy and be held accountable for their treatment of classified material, was once again deleted by the conference. I remain absolutely convinced that Members of Congress need to raise their awareness of the responsibility they hold when they seek access to classified material, and I view a simple secrecy oath as a painless but effective means to accomplish that goal. Having said that, Mr. Speaker, let me repeat my congratulations to the chairman and ranking member for their hard work and express my support for this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion and to repeat, this rule waives all points of order against the conference report on the authorization bill and against its consideration. I remind my colleagues that these waivers were fully supported by the ranking minority member of the Permanent Select Committee on Intelligence and received unanimous approval of the Committee on Rules.

Mr. Speaker, finally, I want to take this time to congratulate my good friend and colleague the gentleman from Kansas [Mr. GLICKMAN], the chairman of the Permanent Select Committee on Intelligence, and the gentleman from Texas [Mr. COMBEST], the ranking minority member, for their excellent work on issues that are extremely important and often very difficult to deal with. They have again brought us a good piece of legislation. I again urge my colleagues to vote for the rule so that we may consider the conference report on the bill today.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GLICKMAN. Mr. Speaker, pursuant to House Resolution 555, I call up the conference report on the bill (H.R. 4299), to authorize appropriations for fiscal year 1995 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WATT). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, September 27, 1994, at page H9883.)

The SPEAKER pro tempore. The gentleman from Kansas [Mr. GLICKMAN] will be recognized for 30 minutes, and the gentleman from Texas [Mr. COMBEST] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. COLEMAN], the distinguished chairman of the Subcommittee on Legislation.

Mr. COLEMAN. Mr. Speaker, I rise in support of the conference report on H.R. 4299, the intelligence Authorization Act for fiscal year 1995. This legislation addresses many significant issues, particularly those raised in the wake of the arrest and conviction of Aldrich Ames, the most notorious spy in the history of the Central Intelligence Agency. Passage of this legislation should enhance U.S. counterintelligence capabilities and deter espionage in the future. I want to quickly highlight some of the matters that were not found in the House-passed bill.

First, the conference agreement requires the President to establish uniform, minimum standards to govern access to classified information by employees of the executive branch. As one of the requirements of receiving access, employees will be required to consent to allow the disclosure, under certain circumstances of certain financial credit and travel records, to authorized investigative agencies, during background investigations, while the employee is granted access to classified information, and for 3 years thereafter.

Investigative agencies may request these records when there are reasonable grounds to believe, based on credible information, that the individual is disclosing classified information in an unauthorized manner to a foreign power, when there is credible information of unexplained affluence or excessive indebtedness, or when circumstances indicate the individual had the capability and opportunity to disclose classified information known to have been lost or compromised to a foreign power.

A second major provision of the conference agreement requires the executive branch to bring physical searches conducted for intelligence purposes under the court order procedure of the Foreign Intelligence Surveillance Act. Currently, these searches are undertaken only on the basis of Attorney General approval, without judicial review of any kind. Although an argument can be made that these national security searches are constitutional, there is no authoritative Supreme Court decision on the question. Had the Ames case gone to trial, the legality of the searches of his home, authorized by the Attorney General but without a judicial warrant, certainly would have been litigated. If the searches were found to have been illegal, it is likely the entire prosecution would have been thwarted, and Aldrich Ames would have walked away free. There was thus broad—although not universal—support for taking action on this legislation, requested by the administration, to ensure better judicial and congressional oversight of these searches.

The conferees took steps to improve the Senate version of the physical search legislation, particularly with respect to searches of the residences of U.S. persons. The conferees agreed that the Attorney General, as part of an application for a court order, should state what investigative techniques had been previously utilized to acquire the foreign intelligence information concerned. In addition, the conferees provided authority for the court to release more information to the subject of a search during court proceedings challenging the legality of the search. Furthermore, the conferees directed the Attorney General to give notice of a search to its subject if at any time after the search the Attorney General determines there is no national security interest in continuing to maintain its secrecy.

A third major provision of the conference report addresses the problems of coordination of counterintelligence activities which has had a long and sorry history. The agreement requires the establishment of a counterintelligence policy board to develop policies and procedures for the approval of the President on the conduct of counterintelligence activities. The provision requires the heads of Federal departments and agencies to report, immediately to the Federal Bureau of Investigation any information, regardless of its origin, that indicates classified information may have been disclosed in an unauthorized fashion to a foreign power. The efforts the President has made to improve the workings of the bureaucracy, and this provision in law, should ensure these coordination problems do not persist in the future.

Additionally, the conference report repeals the limitation on U.S. intelligence cooperation with the government of South Africa. Although this provision was not included in the House bill, it was the subject of a hearing before my Subcommittee on Legislation. The conferees were convinced that the repeal was appropriate now that the people of South Africa have freely elected a new government.

Finally, the conference agreement requires the establishment of a 17-member commission to undertake a comprehensive assessment of the roles and capabilities of the intelligence community in the post-cold-war global

environment. The charter for this commission is far-reaching, and its conclusions could be extremely useful in setting intelligence policy for the next century.

Mr. Speaker, I regret that the conference agreement does not include the provision which would have established in statute the offices of the inspectors general at the defense intelligence Agency and the National security Agency. I believe our legislation would have improved the effectiveness of these offices to a considerable degree, but concerns raised by the Department of Defense led the conferees to put the provision aside. Certainly, this issue should be addressed again next year so that these inspectors general have the tools they need to perform their mission.

Again, Mr. Speaker, this is a good agreement, and I urge my colleagues to support it.

Mr. GLICKMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. DICKS], the distinguished chairman of the Subcommittee on Oversight and Evaluation.

Mr. DICKS. Mr. Speaker, I want to place in the RECORD two documents that give an accurate picture regarding the NRO Westfield Facility. The first document details what the Senate Select Committee on Intelligence [SSCI] knew and when they knew it. It is clear that the SSCI not only supported the reorganization but actually added \$30 million to accelerate the project. Senators and staff, some whom are still serving on the committee, were given detailed briefings about the NRO project by top NRO officials, including the director of the NRO, Martin Faga.

I am disappointed by the current SSCI leadership in their efforts to create the impression that they knew little or nothing about this project.

I also am including a statement by the Director of Central Intelligence and the Deputy Secretary of Defense.

JOINT STATEMENT ISSUED BY THE DIRECTOR OF CENTRAL INTELLIGENCE AND THE DEPUTY SECRETARY OF DEFENSE, SEPTEMBER 29, 1994

On August 8, 1994, the Director of Central Intelligence and the Deputy Secretary of Defense announced the formation of a team to review the history of the National Reconnaissance Office (NRO) headquarters construction project, the information provided to Congress during the course of the project, and ways to ensure completion in as cost-effective manner as possible. Named to co-chair the review team were Assistant Secretary of the Navy Nora Slatkin and Central Intelligence Agency Principal Deputy General Counsel John R. Byerly.

Ms. Slatkin and Mr. Byerly have now briefed the Director of Central Intelligence and the Deputy Secretary of Defense on the team's principal findings and recommendations. A written report is being prepared and will be submitted shortly.

The results of the review are as follows:

The team found no intent to mislead Congress.

The oversight Committees approved the reorganization of the National Reconnaissance Office, specifically authorizing \$30 million in additional funds for this purpose as early as 1989. They also approved the purchase of property in Fairfax County, Virginia, and the startup of building construction.

The National Reconnaissance Office failed to follow Intelligence Community guidelines for presenting new initiatives in its Congressional Budget Justification Books.

In response to Congressional requests, the National Reconnaissance Office provided cost data on the project. But, the data was not presented in a consistent fashion and did not include the same level of detail as comparable military construction requests.

The NRO was responsive to Congressional requests for other information and provided details on site selection, commercial cover to protect NRO's classified status, and overall facilities design.

The Director of Central Intelligence and the Deputy Secretary of Defense have approved the review team's recommendation that, in consultation with the Congress, the National Reconnaissance Office should ensure that future budget submissions conform to Intelligence Community guidelines and meet Congressional needs.

The review team found that the construction costs per square foot for the headquarters facility are reasonable based on comparable military facilities and that the National Reconnaissance Office's streamlined execution of the project is working well.

The team determined that, when judged by General Services Administration standards, the headquarters facility will be underutilized when completed and can house at least 500 and as many as 1,000 persons in addition to the approximately 2,900 NRO personnel currently planned. The team concluded that this underutilization was the result of faulty initial assumption about space requirements and was perpetuated by the absence of further internal or an external review.

Consistent with the team's recommendations, the Director of Central Intelligence and the Deputy Secretary of Defense have instructed the Director of the National Reconnaissance Office, working with the Intelligence Community Management Staff, to present to the Director of Central Intelligence for approval a plan for accommodating between 500 and 750 additional personnel in the facility, which is scheduled for occupancy in January 1996. This number of additional personnel would bring the building within the normal occupancy range for GSA buildings in the National Capital Region, and requires no significant change in construction.

For major NRO infrastructure construction projects in the future, the Director of Central Intelligence and the Deputy Secretary of Defense will name appropriate representatives to review and validate the facility requirements from the outset and at each major milestone.

The review team concluded that declassification of the NRO's ownership and use of the facility will permit significant tax savings because United States Government facilities are not subject to state and local taxation.

The team determined, and the NRO agreed, that the NRO's budget for furniture and support equipment could be reduced by at least \$8 million. In addition, the team identified \$6 million in the budget for communications-related items that need further review. As recommended by the team, the Director of Central Intelligence and the Deputy Secretary of Defense have instructed the Director of the NRO to conduct a review before expending funds for these items.

Source: Senate Supplement to Report No. 101-78.

Date: 1989.



Content: NRO Reorganization (FY90 \$+30.0M; \*\*\*) \*\*\*

The Committee believes that the best approach to insuring a robust national reconnaissance program is to reorganize the NRO in a way which facilitates greater communication, cross-system and cross-program fertilization, and common security, support, and administrative practices. Thus, the Committee directs that, unless an Alternative plan approved by the Secretary of Defense and the DCI is submitted prior to November 1, 1989, the NRO begin, no later than November 1, 1989, a reorganization according to the plan outlined in a letter to the Intelligence Committee dated November 21, 1988 by then Secretary of the Air Force Edward C. Aldridge, Jr. \*\*\*

(2) collocation of remaining activities in a central facility in the Washington, D.C. area; and \*\*\*

\*\*\* the Aldridge Plan \*\*\* Ultimately, circa 1991-1992, the plan called for the collocation of the CIA, Air Force, and Navy program offices in a new facility in Northern Virginia. The Committee believes these goals and the timetable are realistic. Moreover, additional realignment of program office functions are made feasible by the collocation and should be pursued. \*\*\*

Accordingly, the Committee directs that all activities of the various program offices be collocated according to the 1991-1992 timetable unless the Director, NRO decides, based on compelling reasons, that certain sub-elements of the three program offices should not collocate. In such a case, the Director should notify the Intelligence Committees of his decision and describe his rationale for it. \*\*\*

The Committee authorizes an additional \$30.0 million in FY1990 and \$27.0 million in FY1991 in the NRP for the reorganization.

Source: FY 1990 Intelligence Authorization Act \*\*\* Committee of Conference.

Date: 1989.

Content: \*\*\* After conducting its own review, the Senate reached a similar conclusion and added \$30.0 million in fiscal year 1990 to provide for reorganization activities. The Senate bill also required that a reorganization plan be provided by November 1, 1989.

The conferees agreed to authorize \$30.0 million for reorganization activities including planning, contract support, \*\*\* and modification, equipment and furniture, etc. \*\*\*

Source: FY 1990 Appropriations Conference Classified Annex

Date: November 27, 1989

Content: The conferees agree, subject to the authorization process, to provide \$30,000,000 for certain facilities costs associated with the NRO reorganization. \*\*\*

Source: Joint Letter from the DCI and the SECDEF to: The Honorable David L. Boren, Chairman, Select Committee on Intelligence, United States Senate, Washington, DC 20510. Date: 26 February 1990

Content: In our July 3, 1989 letter regarding the NRO restructure we stated our intent to: \*\*\*

a. Implement a NRO headquarters collocation that will include the DNRO, his deputies, their staff support, management elements from the three Program Offices, and appropriate centralized support functions in order to facilitate a more integrated organizational approach to accomplishment of the \*\*\* mission.

We endorse the DNRO's decision not to pursue further collocation at this time. \*\*\* However, we do believe, as he does, that it is

important that we continue to protect the option to implement additional collocation initiatives if required. The DNRO's facility acquisition strategy will support this objective. \*\*\*

WILLIAM H. WEBSTER,  
Director of Central Intelligence.  
RICHARD B. CHENEY,  
Secretary of Defense.

Attachment.

#### NRO RESTRUCTURE

In order to provide the required facilities in as timely a manner as possible and to maintain the flexibility to implement the full range of potential restructure alternatives, a phased, incremental facility strategy has been adopted.

I have decided to protect for a least-total-cost acquisition strategy for the permanent facility which involved the purchase of both the land and the buildings required. This approach has the highest near-year costs but it provides the greatest flexibility regarding additional collocation decisions and, in a budgetary sense, protects for any other approach.

#### C. Funding

##### Facilities permanent

Fiscal year:

1991 .....	\$31.9
1992 .....	70.1
1993 .....	44.4
1994 .....	19.8
1995 .....	29.2

Total ..... 195.4

Source: Excerpt from FY 1991 Congressional Budget Justification Book, submitted to all appropriate authorization and appropriations committees.

Date: Early 1990.

Content: This element of the Mission Support expenditure center includes the facilities required in the NRO reorganization. \*\*\*

The MRO is using a phased incremental facility strategy as part of its overall restructure process. The facilities include a \*\*\* permanent facility. The NRO plans to acquire the permanent facility to accommodate all functions \*\*\* and other NRO activities as directed by the DNRO. Financial figures in the Report on the NRO restructure protect the option to acquire the land to support a total collocation and a building sized for less than total collocation. \*\*\*

Source: Letter to David L. Boren, Chairman, Senate Select Committee on Intelligence from DNRO, Faga.

Date: September 17, 1990.

Content: This letter provides formal notification of the National Reconnaissance Office (NRO) intent to purchase a parcel of land in support of the permanent facility collocation activities of the NRO restructure efforts. This action is consistent with our overall facility strategy and the NRO Restructure Report published in January 1990.

The third phase of the facility support plan, the subject of this letter, involves the acquisition of property and facilities that provide a permanent solution for our collocation activities. Our intent is to be able to accommodate, in the permanent facilities, all the activities previously located. \*\*\* In addition, the permanent facility site will allow for additional collocation up to and including all of the NRO and some of our supporting contractors. \*\*\*

\*\*\* The actual land purchase agreement will be executed between the land owner and our facility support contractor. Title to the property will be notionally held in the name

of our facility support contractor, thus supporting our cover and security. \*\*\* This will then be converted to pass-through arrangement between the facility support contractor and the United States Government. A similar arrangement will be used during the building construction phase. There will be no G&A or fee markup on the pass-through contracts \*\*\*

\*\*\* Size of the parcel: The size of the parcel in approximately 68 acres.

\*\*\* The current master plan provides for the development of approximately 1.3 million square feet on the site. The purchase agreement allows us to develop slightly less than 1.5 million square feet. \*\*\* The master plan has been structured by definition as a three-phase development program. Phase one provides for the construction of approximately 500,000 square feet. \*\*\* Phase two would add an additional 400,000 square feet. Phase three would provide an additional 400,000 square feet. Flexibility is inherent in the master plan to allow phase two and three to be sized differently as the need arises. We plan to proceed with phase one construction only at this time. Phase two and three protect the option for additional collocation, up to, and, including a total collocation.

Source: Department of Defense Appropriation Bill, 1991.

Date: October 9, 1990

Content: \*\*\* Furthermore, in order to support the permanent restructure of the NRO, the Committee authorizes the NRO to continue to contract directly for its facility activities including planning, contract support, \*\*\* modification, land and building acquisition and equipment. Land and facility acquisition will remain subject to the prior approval of the appropriate Congressional committees. The permanent facility site should provide for expansion capability to accommodate additional collocated activities as required.

Source: Intelligence Authorization Act for Fiscal Year 1991.

Date: 1991.

Content: Furthermore, to support the permanent restructuring of the NRO, the conferees agreed to authorize the NRO to continue to contract directly for its facility activities including planning, contract support, \*\*\* modification, land and building acquisition, and equipment. Land and facility acquisition will remain subject to the prior approval of the appropriate Congressional committees. The permanent facility site should provide for expansion capability to accommodate additional collocated activities as required.

Source: Excerpts from the FY 1992-1993 Congressional Budget Justification Book, submitted to all appropriate authorization and appropriation committees.

Date: Early 1991.

Content: \*\*\* center includes the facilities required in the NRO reorganization \*\*\*

The NRO is using a phased strategy for the facility restructure process. The facilities include a \*\*\* final facility \*\*\*

The NRO is using a phased strategy for the facility restructure process. The facilities include a \*\*\* final facility \*\*\* In FY 1991, the NRO acquired the land for the final facility, as well as collocation of some program offices although the the parcel of land is sized to protect the option of a total collocation if required. This budget submission only includes funding for a less than full collocation approach.

Source: Excerpts from the FY 1993 Congressional Budget Justification Book, submitted to all appropriate authorization and appropriation committees.

Date: Early 1992.

Content: The NRO is using a phased strategy for the facility restructure process. The facilities include a \*\*\* final facility. \*\*\* In FY 1991, the NRO acquired a parcel of land sufficient to protect for the option of full collection. The final NRO facility headquarters will be located in western Fairfax, Virginia on approximately 70 acres. The facility master plan allows for a six building complex, structured parking, emergency generator building, warehouse, conference facility, and cafeteria. The current construction plan and budget provide for three buildings to accommodate all functions currently located at \*\*\* well as collocation of some program office elements; general site development; site security; and the basic infrastructure support additional buildings. The site development phase, begun in FY 1991, included clearing and grading, roads, site utility installation, parking structures and building foundation. The building core and shell construction is scheduled to begin in summer 1992. Building fit-up will commence in summer 1993 with building activation, equipment installation and testing scheduled for early 1995 leading to occupancy in late 1995. The total construction is approximately 800,000 gross square feet.

Source: Senate Select Committee on Intelligence Question for the Record, Fiscal Year 1993.

Date: May 19, 1992.

Content: Question 3. Please provide a budget breakout for NRO facilities construction for each year FY93-FY95. Please indicate the number of people who will occupy the new facility in FY95, and the savings that will be achieved as NRO elements vacate other facilities.

Answer: The FY 1993 CBJB contains the following for the permanent facility development Activities:

Fiscal year:	
1993 .....	\$80.0
1994 .....	80.9
1995 .....	65.7
Total .....	227.4

This FY 1993 budget provides for construction, outfitting, operations and maintenance of three permanent buildings. It also provides for general site development of the NRO Facilities compound, site security, structured parking, and an emergency generator building, warehouse, conference center and cafeteria.

The current three-building plan is designed to accommodate approximately 1700 people \*\*\*

Source: Senate Select Committee on Intelligence Question for the Record, Fiscal Year 1993 CBJB.

Date: May 19, 1992.

Content: QUESTION 4. What are the costs in FY 93 and FY 93-97 to accelerate construction plans sufficient to provide for full collocation of Program A and Program B at the western Fairfax facility?

ANSWER: The additional cost for full collocation of the NRO into the western Fairfax facility in accordance with the approved site plan is as follows:

Fiscal year:	
1993 .....	\$59.5
1994 .....	74.9
1995 .....	41.1
1996 .....	27.2
1997 .....	25.3
Total .....	228.0

These costs provide for the additional design, site work, utilities, parking, construction, security, commo, operations, and main-

tenance associated with the addition of the fourth building at our permanent facility. This will allow us to achieve full collocation of the NRO \*\*\* We are preparing a FY 1992 reprogramming request for your approval so that we may proceed in an expeditious fashion.

Source: Senate Select Committee on Intelligence—Question on the Collocation Project.

Date: 29 May 1992.

Content: What is the FY92 and FY93 budget for the permanent facility and what is the cost to complete of the permanent facility?

The current budget for the permanent facility development activities is as follows:

Fiscal year:	
1992 .....	\$81.6
1993 .....	80.8
1994 .....	80.9
1995 .....	65.7

Source: Letter to The Honorable David Boren, Chairman Senate Select Committee on Intelligence from D/NRO Faga.

Date: October 16, 1992.

Content: I am writing to request approval to reallocate \$22 million of FY 1992 \*\*\* funds within the National Reconnaissance Program (NRP) \*\*\*

The panel recommends reorganization into several directorates, \*\*\* and collocation of major NRO elements as expeditiously as possible. This recommendation was approved by the DCI, the Secretary of Defense, and the President.

Our Congressional Oversight Committees have been encouraging collocation for several years and the FY 1993 Appropriations Conference report specifically permits us to proceed. \*\*\*

The \$22 million will be used for design and construction activities related to increasing the size of the permanent facility, approved by Congress in FY 1991 \*\*\*

MARTIN C. FAGA.

Source: Appropriations for Fiscal Year 1993 for Intelligence.

Date: 1992.

Collocation in the National Capitol Region: The conferees agree that the NRO may proceed with the collocation of the NRO program offices in the National Capitol Region.

Source: Briefing provided to Senate Select Committee on Intelligence Staff Members.

Date: 10 November 1992.

#### Benefits

Strengths Technical Capability of Organization

Improves Decision Making

Facilitates Functional Organization Structure

Allows Merging of Similar Functions—Minimize Redundancy

Promotes Closer, More Active, Interfaces with Customers

Improves Ability to Develop More Integrated \*\*\* Architecture

Modified Plan—Total NRO collocation by 1993

\*\*\* Panel Recommendation—Supported by SECDEF and DCI

Initiate Option for Additional Space at Westfields \*\*\*

#### WF CURRENT BASELINE

4 Six story office buildings

Conference Center

Cafeteria

Emergency generator building

2 Guard houses

Approximately 1 million sq ft

#### ROUGH GRADING

Cost—\$75K

Schedule—1991

Cleared site

Install storm drainage system and retention ponds

Fenced the site

Rough excavation

#### SITE DEVELOPMENT

Cost—22.4 M

Schedule 8/91-6/91

Building parking garages

Road construction

Site utilities

Foundations for tower 1 & 2

#### CORE AND SHELL

Cost—\$7.7 M

Schedule—8/92-9/94

Tower 3 and 4 foundation and conference center

Tower 1-4 base building construction (exterior shell, roof, unfinished floors)

Central plant (elec and HVAC)

Back-up generator building

Toilets, elevators, stairs, mechanical rooms, plumbing, electrical, vertical HVAC,

light fixtures, doors, fire alarms, and energy management system

WF COST (COST PER SQ FT—1,063,000 FT)

Core and Shell (C&S)—\$82.50

C&S and site development—\$103.57

+Rough grading—\$104.49

+Land—\$127.09

+F/U—\$175.16

#### FACILITY BUDGET

Westfields—Design/construction and support

#### Total facility budget

1993 .....	\$114.3
1994 .....	187.0
1995 .....	138.3
1996 .....	108.3
1997 .....	100.3

Includes \$22.0M reallocation.

Source: Letter to DNRO Faga from David L. Boren, Chairman and Frank H. Murkowski, Vice Chairman, SSC.

Date: November 13, 1992.

Content: This letter is in response to your October 16, 1992 request to reallocate \$22 million of fiscal year 1993 \*\*\* to accelerate the NRO's consolidation plan.

The Committee does not object to the expenditure of funds for the purpose specified. \*\*\*

Source: Excerpts from the FY 1994-1995 Congressional Budget Justification Book, submitted to all appropriate authorization and appropriation committees.

Date: Early 1993.

Content: \*\*\* includes the facilities to support the NRO reorganization. \*\*\*

The Restructure Plan approved by the SECDEF and DCI collocates most of the NRO to a single location as soon as possible. \*\*\*

Full collocation will be supported with the occupancy of the NRO Westfields facility in 1996 \*\*\* final NRO facility headquarters will be located in western Fairfax, Virginia on approximately 70 acres \*\*\* The current construction plan and budget provide for four buildings to accommodate all functions currently located \*\*\* general site development, site security, and the basic infrastructure support for additional buildings. \*\*\* The total construction is approximately 1,000,000 gross square feet.

Source: Excerpts from the FY 95 Congressional Budget Justification Book, submitted to all appropriate authorization and appropriation committees.

Date: Early 1994.

Content: This element of the Mission Support expenditure center includes the facilities \*\*\*

The Restructure Plan approved by the SecDef and the DCI collocated most of the



NRO to the East Coast as soon as possible. Full collocation will be supported with the occupancy of the NRO Westfields facility in 1996 \*\*\* The final NRO facility headquarters will be located in western Fairfax County, Virginia on approximately 70 acres \*\*\*

The current construction plan and budget provide for four buildings to accommodate all functions currently located at \*\*\* general site development, site security, and the basic infrastructure support for additional buildings \*\*\*

Significant progress has been made in our efforts to reorganize into an integrated functional organization. \*\*\*

Source: Statement to the Senate Select Committee on Intelligence from D/NRO Harris.

Date: 10 August 1994.

Content: \*\*\* I was pleased to read in the draft SSCI audit report that the NRO had never failed or refused to answer when asked questions about the Westfields facility, and I wholeheartedly concur with the audit report's observation that communication is a dual sided issue and both parties have an inherent responsibility to the other \*\*\*

Source: Statement to the Senate Select Committee on Intelligence from D/NRO Harris.

Date: 10 August 1994.

Content: \*\*\* We were reassured when the draft SSCI audit report concluded that the Westfields project costs per square foot, in constant FY 1996 dollars, will cost about the same as other comparable Intelligence Community construction projects which have been completed over the past decade \*\*\*

Source: Code of Federal Regulations 41, Chapter 101.

Date: Revised as of July 1, 1993.

Content: \*\*\* Primary office area is the personnel-occupied area in which an activity's normal operational functions are performed \*\*\*

The 125 square feet represents the amount of space occupied by employees housed in GSA office space \*\*\*

Source: Statement to the Senate Select Committee on Intelligence from D/NRO Harris.

Date: 10 August 1994.

Content: \*\*\* With regard to the size, the Westfields complex will provide 133 square feet per person, based on our current estimate of the personnel occupancy. This is only slightly higher—6%—than the General Services Administration (GSA) guideline of 125 square feet per person. With the possible addition of 200 people, we would be at or below the GSA guideline.

Mr. GLICKMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the conference report on H.R. 4299, the fiscal year 1995 intelligence authorization bill. The conference report and statement of conference managers which are before the Members do not tell the whole story on this legislation. The funding levels agreed to in the conference are set forth in a classified schedule of authorizations which is incorporated by reference in the conference report. A classified annex to the statement of managers describes the classified schedule in detail. These classified documents are available for review by Members in the offices of the Intelligence Committee.

The version of this legislation adopted by the House in July was about 2.4

percent below the President's budget request and a similar amount below the fiscal year 1994 appropriated level. The Senate's reductions were smaller. In conference we moved in the direction of the Senate, but only modestly. The conference report is still 2 percent below both the budget request and the total amount appropriated in fiscal year 1994.

I believe this result accurately reflects a judgment by a majority of the House Intelligence Committee that, while we need to keep pressure on the intelligence agencies to reduce spending, we need to do so in a way that does not jeopardize the ability of those agencies to perform their critical missions in addressing threats posed by international terrorists, narcotics traffickers, and those who would make weapons of mass destruction more readily available. I do not believe that any budgetary action recommended by the conferees will have a negative impact on any essential capability within the intelligence community. In fact, speaking now only for myself, I believe we could have made more significant cuts in some areas without affecting essential capabilities, but that is an argument for another day.

I have frequently compared intelligence to an insurance policy. Neither administration since the end of the cold war has clearly articulated how much coverage is necessary under that policy and why. As a result, Congress has focused largely on the premiums, with a general sense that they were too high but with a reluctance to trim them too much without being certain of the consequences. This has been a frustrating process and one which I do not believe is sustainable for much longer. It is for that reason that I supported the inclusion in the conference report of a provision establishing a commission to conduct a bottom-up review of intelligence. Such a review is desperately needed, in fact, it is several years overdue. No organization can function effectively if it is unsure of what it is supposed to be doing and how it fits within the larger structure of which it is a part. The intelligence community needs well-defined roles and missions for the post-cold-war world, and I have concluded that they are going to have to be imposed from outside rather than adopted from within. The committee will continue to do what it can in this regard, but we will welcome the assistance of those who will serve on the commission.

While Mr. Coleman, the chairman of our Subcommittee on Legislation, will explain the legislative provisions of the bill in detail, there are several on which I want to comment.

The committee has operated for most of this year against the backdrop of the unfolding Ames espionage case. On September 28, we met with the Director of Central Intelligence and the in-

spector general of the Central Intelligence Agency to discuss the inspector general's report on the CIA's handling of the case. The report provides a thorough and critical analysis of this affair and I want to compliment Inspector General Hitz and his staff for a very effective job. The report, however, only confirmed what most of us had already concluded: the Ames case was an unqualified disaster. The full extent of the damage done by Ames' spying will not be known for some time, if ever, but it was clearly on an unprecedented scale.

The committee has reviewed the report and I expect we will be meeting again with the inspector general to discuss it in more detail. We have our own inquiry underway, however, and while we will make full use of the work of the inspector general, we will be reaching our own conclusions and will have our own recommendations to make about the responses we consider appropriate to the institutional deficiencies which exist or the individual failures which occurred.

The conference report contains a number of provisions which constitute a legislative response to the Ames case. Most are designed to deter people from committing espionage or make it easier to catch them if they do. Chief among these is section 802 which will require executive branch employees, in exchange for being granted access to classified information, to consent to the disclosure of their records held by financial institutions, credit bureaus, and commercial travel entities to their employing agencies or authorized investigative agencies.

I support all of the counterintelligence provisions in the conference report, but I do not believe that any of them would have been necessary to short-circuit the espionage career of Aldrich Ames. That could have been done if managers at the CIA had been sufficiently attentive to numerous warning signs not only about Ames' financial status, but about his problems as an employee. Legislation was not necessary to prevent Mr. Ames from being placed in jobs which were perfect places from which to conduct espionage, even after he was rated as, at best, a below average employee. The failures in the Ames case were not the result of a lack of legislation. They were the result of grievous mistakes made by a number of individuals at the CIA, and I believe that the conclusion is inescapable that Ames flourished as a spy as a result.

I expect that the report based on the committee's inquiry will make some judgments about whether the right people were disciplined for those mistakes and whether the discipline was commensurate with the gravity of their conduct. If there has been for too long a business as usual attitude at the CIA, and I believe there has been, it is

imperative that the disposition of this case be seen to be directed at ending it. That cannot be accomplished if the level of accountability for the Ames fiasco is not set high enough.

Director Woolsey is uniquely situated to make sure that occurs. He bears no responsibility for the years in which little attention was paid by senior managers to the hunt for a "mole" within the CIA, and yet history will fairly criticize him if he does not effectively discharge the responsibility he does have to ensure that Harry Truman's famous axiom "The buck stops here" applies in the Ames case. The people who ran the CIA from 1985 through 1992—the Directors of Central Intelligence and the Deputy Directors for Operations—must bear ultimate responsibility for what went wrong in this case. If they did not direct that the pursuit of a spy at the heart of the CIA be made the highest priority of the Agency, we need to know why.

In that regard, one of the most significant provisions in the conference report is section 811 which requires that the Federal Bureau of Investigation be immediately advised of information that indicates classified information is being disclosed in an unauthorized manner to a foreign power. Espionage is a crime and it should be chiefly investigated by law enforcement officials.

In the Ames case, even after the likelihood that there had been a human penetration of the Agency was clear, the investigation was chiefly directed by the CIA. If this case teaches any clear lesson, it is that spies are not good cops. I believe that there would have been a faster, more efficient investigation of this matter if trained police officers, the FBI, had been in charge. The FBI should determine when an espionage investigation is to be undertaken and how it is to be pursued. The agency whose employee may be involved in the commission of the crime may be able to provide valuable assistance, but that should be the FBI's decision. There can only be one entity in charge of a criminal investigation and that should be a law enforcement entity. Section 811 is intended to make clear the division of responsibility in the conduct of espionage investigations.

Before leaving the subject of counter-intelligence, I want to note section 807 which provides a court order process for certain physical searches undertaken for foreign intelligence purposes. Currently, such searches are conducted pursuant to a so-called national security letter signed by the Attorney General. Section 807 will require a judicial determination before the search is conducted in a manner similar to that which applies when a wiretap is undertaken for foreign intelligence purposes. While I understand the concerns of those who believe that a search of a

residence should only be conducted pursuant to a warrant which meets fourth amendment standards, I believe that the rights of a potential criminal defendant are much better protected under the procedure established by section 807 than by the current procedure which allows executive branch officials to authorize a search which their employees will conduct.

After the Ames case, the intelligence story most in the news this year related to the construction of the National Reconnaissance Office headquarters facility. As I stated on the House floor last month, the Intelligence Committee was aware of this project. The degree of knowledge about the specifics of the project varied between members of the committee and the committee staff, but I suspect that is not unusual. The point is, the building did not arise in northern Virginia without the committee knowing about it. Having said that, this episode did highlight the fact that budget submissions from intelligence agencies, particularly from the NRO, are not always as detailed as they should be. The conference report therefore contains a provision requiring that future intelligence community construction projects in excess of \$750,000 be specifically identified in the President's budget submission and separately authorized by Congress. In addition, the conference report requires that a greater degree of detail be used to describe the budget category known as base so that it can no longer be what it has been—a catch-all, miscellaneous category in which to aggregate funds used in the acquisition not only of pencils, paper clips, and cleaning supplies, but multimillion dollar office buildings as well.

I began by discussing spending on intelligence activities and I want to close in a similar vein. The intelligence agencies, like all organizations which handle sensitive information, spend millions of dollars and employ hundreds of people to classify documents and ensure their security. In my judgment, far too much information is classified by our Government, for too long a time, and at too great an expense. This is due in part to an Executive order on the classification and declassification of information which was promulgated 12 years ago, at the height of the cold war. That Executive order needs to be revised and a provision in the conference report requires a new Executive order to be promulgated within 90 days of enactment. The provision also expresses the sense of Congress as to areas on which the new Executive order should place emphasis. I believe that if the order reflects this expression of congressional sentiment fewer documents will be classified, the process of declassification will be expedited, and significant sums of money will be saved. On that last point, another provision in the conference re-

port requires the larger intelligence agencies to allocate at least two percent of the funds appropriated for security activities to declassification efforts including reducing classified archives. This provision was authored by Mr. SKAGGS who has been a leader in the committee's work in this area.

Before concluding, I want to pay tribute to the service of several Members who, under current House rules must leave the committee at the end of this Congress. First among these Members is Mr. COMBEST, the committee's ranking Republican with whom it has been a genuine pleasure to serve. I have found him to be an effective advocate for his views whose common sense and even-handed approach to issues was never clouded by partisan considerations. Also scheduled to depart on the Republican side are Mr. BEREUTER and Mr. DORNAN. They are joined by Mr. RICHARDSON on the Democratic side. Each of these members has made many valuable contributions to the committee's work and they will be missed.

Mr. Speaker, the conference report on H.R. 4299 has a significance which, despite the important advances it makes in areas like imagery intelligence, will be measured largely in non-budgetary terms. It is good legislation which deserves the support of the House. I urge its adoption.

□ 1500

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. GLICKMAN. I am glad to yield to my colleague, the gentleman from Washington.

Mr. DICKS. Mr. Speaker, I want to thank the distinguished chairman and the ranking member, the gentleman from Texas [Mr. COMBEST], for the very fair way in which they looked at this question about the NRO facility in Virginia. I must tell my colleagues, and I am going to place in the RECORD today the briefing material that we received regarding what the other body knew and when they knew it and what they did about it, and I think any fair-minded person and I think our committee on a bipartisan basis agrees with this, when one looks at the evidence it is clear that this project was understood and, in fact, in 1989 the other body added \$30 million to accelerate the project because they were so much in favor of it.

So now I am really very stunned by this accusation that we did not know anything about it, we did not know what the total costs were. There are other documents in the record that will show that they asked questions on an annual basis about the project. It was a high priority of one of the senior Members who comes from the State of Virginia.

□ 1510

They asked questions about the project, and the entire cost data was



presented in the record, which I am also going to place in the RECORD today. So I regret that there was confusion about this.

I want to support the chairman, because I have been fighting for several years to get more detail into the budget so that there would not be confusion about what is a new initiative and what is in the base.

I think it is wrong. I think what we did in reforming that is a major step in the right direction, and I want to say I was pleased to be one of the sponsors of that provision along with the chairman of the select committee on the other side. That may have been one of the few things in this conference we did agree about.

I regret very much there has been an aspersion made about the NRO. I feel they are one of the finest and most professional organizations that we have. There was no intent on their part to mislead the Congress, and that has been stated by everyone who has looked at this fairly and objectively.

As I said, not only did they put \$30 million in in 1989 to accelerate the project, they also supported it on an annual basis and were given information about its total cost.

I want to compliment the chairman. I think we have made a lot of progress on this on clarifying the budget detail and think we are in a stronger position for the future.

I am going to put it in the RECORD, so all of my colleagues who are interested in this subject can fairly assess what actually happened. I think when they do, fair-minded people will conclude our committee, of course, was correct in stating that the NRO gave us accurate information.

Mr. GLICKMAN. Mr. Speaker, I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would first like to thank our committee chairman, Mr. GLICKMAN, for continuing to lead our committee in a collegial manner and encouraging the honest sharing of views. I could not ask for more cooperation—on several issues we believe that he has been open to our working together to make some significant improvements over our original authorization of June this year. I should also state that we found the conferees from the other body approached conference with a willingness to compromise on a number of outstanding issues.

This is a conference report of which we can all feel proud—though some of us may have different reasons than others. Let me first mention some budgetary issues.

#### BUDGETARY ISSUES

I and my colleagues in the minority are pleased that the conference has been more judicious in its efforts to limit intelligence spending. The conference report's significant cuts to the

requested budget are made with a logical rationale of judging programs by their merits and by their contributions to this Nation's security. That is a process with which we agree.

The conference report fully funds counterintelligence lines which the President and the DCI, Jim Woolsey, have created to fund the new National Counterintelligence Center. Although we have some discomfort over a few of the cuts to intelligence collection and analysis, we believe that the conference report funds those capabilities which we strongly believe are essential to keep U.S. policy makers and military operators informed and, frankly, to protect national security. We note with satisfaction that the intelligence community will be able to move along with some long-term technical programs which will be of particular value to the military. We are particularly pleased that the conference report funds HUMINT—human collection or espionage activities—at a level allowing this critical part of the intelligence community to continue the process of modernization and restructuring.

In this last regard I would like to draw your attention to some much neglected facts which do not get heard above the din surrounding the Ames affair. These relate to the fact that, despite the Ames incident and their having only a single digit percentage of the intelligence budget, the CIA's Directorate of Operations and other HUMINT collectors provide a preponderant amount of our critical intelligence. Some recent studies have shown quite clearly that in the areas of tracking terrorism, narcotics activities, and weapons proliferation, HUMINT is without parallel. The same studies show that for following events in the Middle East, Europe, North Africa, and much of Asia it provides our most important insights. Anecdotes are hard to give without revealing sources and methods, but I can tell you that even in the last couple of months HUMINT has saved lives and thousands of American jobs. Specifically, it has averted planned terrorist attacks and protected U.S. business by salvaging billion dollar trade deals from unfair and illegal trade practices by foreign Governments. We strongly support whatever it takes to fix what is broken in the Directorate of Operations and elsewhere in the intelligence community but we will not stand by to see its critically important capabilities gutted.

#### LEGISLATIVE ISSUES

Legislatively, the conference report includes numerous items of significance.

We are particularly pleased with some of the counterintelligence legislation. It will give appropriate authorities much greater access to financial, credit, and travel information on U.S. employees with security clearances.

The conference report also includes provisions for criminal forfeiture for violations of espionage laws.

We are also cautiously optimistic about the report's creation of what has become known as the Warner Commission. This is to be a Presidential commission to study the roles and capabilities of the intelligence community and to make suggestions on changes which might improve its operation. We sincerely hope that the President will appoint to this commission objective experts who will think and act on the facts they review rather than on prejudices or political expediences. We hope the eight congressional designees will be similarly qualified. The Nation will be very poorly served should this commission be hijacked by partisans who want to use such a commission to validate their efforts to dismantle the intelligence community.

The conference report also improves the reporting requirements to Congress for requests for intelligence funds for construction purposes. We all remember the purported surprise of the other body's Intelligence Committee about the National Reconnaissance Office's headquarters building. This legislation should please everyone since, not only will it facilitate congressional oversight, but it will also protect the intelligence community from false accusations of withholding information from Congress. Beyond the topicality of the NRO issue, we in the minority strongly support any reasonable legislation enhancing congressional fiscal oversight.

#### CLOSING

In summary, as a realist I am pleased with this, the last conference report to be prepared in my 6-year tenure on this committee. I have enjoyed every last minute of my 2 years as the ranking member on the committee. For a committee that does most of its business behind closed doors and deals with the most secret activities of the Government, it has, nonetheless, been a very public rollercoaster ride. You would think that I would have grown used to it, but those of you who have had the privilege of working on the committee will understand my amazement at how the activities of some of the most dedicated, hard working, creative, and loyal American Government employees manage so regularly to be portrayed negatively.

At the very top of this group is the DCI, Jim Woolsey. He is a loyal Democrat serving a Democrat administration, but even as a true-blue Republican I must confess my belief that he is the right man in the right job trying to do the right thing. Yet, he is, in my opinion much underappreciated by some of his fellow Democrats. He deserves the respect and support of us all.

There is also something I want to say to the rest of the men and women of the intelligence community, those in uniform and out, those working long

hours at desks in Washington and those risking their lives in the most dangerous corners of the world. Since I will never have occasion to speak to them collectively, I would like to say something to them now on the record in the hope that some of them may hear of it:

Keep the faith. Your good works will never receive the attention of your mistakes—real and imagined. You will continue to suffer at the hands of those who do not know better. You will suffer body blows to your pride; your character may be assailed; your most fundamental value may be questioned. But we, who are fortunate enough to have the opportunity to see your work—and who have actually taken the effort to do so—know of your sacrifices and know of the profound satisfaction you have in doing the right thing even when it will remain unheralded or may be misconstrued. If there is a moral to the history of the United States it is that when the democratic system is allowed to operate freely it will—eventually—come to the right conclusion. Be proud of your work, be vigilant in your duty, and know that you are crucial to the life and liberty of us all.

□ 1520

Mr. Speaker, I reserve the balance of my time.

Mr. GLICKMAN. Mr. Speaker, I yield such time as he may consume to the minority leader, the gentleman from Illinois [Mr. MICHEL] under the normal terms of yielding for the purpose of discussing the schedule.

#### LEGISLATIVE CALENDAR

Mr. MICHEL. Mr. Speaker, before yielding to the distinguished majority leader for the program, let me for just a moment compliment the distinguished gentleman from Texas [Mr. COMBEST] for serving these past 6 years as our ranking member on the Permanent Select Committee on Intelligence. I appointed him thinking he was the best man for the job, and certainly he has given me every reason to be mighty proud of his stewardship during the course of these very critical years.

His statement, which just preceded our being acknowledged here attests to the diligence with which he has approached that very important position all through these years. I want to thank him especially for that fine job.

Mr. Speaker, at this time I am happy to yield to the gentleman from Missouri, my distinguished colleague, Mr. GEPHARDT.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there will be no more votes today. There will be a schedule: On Monday October 3, the House will meet at 10:30 a.m. for morning hour, and the House will meet at noon for suspensions on 62 bills which the distinguished minority leader I believe

has in front of him. I will not take the time of the body to read those, but they are available to both sides.

The suspensions referred to are as follows:

1. H.R. 4781, International Antitrust Enforcement Assistance Act of 1994.
2. H.R. 546, to limit State taxation.
3. H.R. 4999, Civil Rights Commission Reauthorization.
4. H.R. 2129, Madrid Protocol Implementation Act.
5. H.R. 4608, Patent And Trademark Office Authorization Act of 1994.
6. H.R. 4896, to grant the consent of Congress to the Kansas and Missouri metropolitan culture district compact.
7. S. 1233, Arizona Wilderness Land Title Resolution Act of 1994.
8. H.R. 4777, technical improvements in the U.S. Code.
9. H.R. 4778, to codify without substantive change recent laws related to transportation.
10. H.R. 5102, to amend title 18, U.S. Code, regarding crimes relating to medals of honor.
11. S. 2170, Government Management Reform Act of 1994.
12. H.R. 3678, Outer Continental Shelf sand and gravel resources.
13. H.R. 5108, Export Administration Act extension.
14. H. Con. Res. 279, condemning the July 13, 1994, sinking of the *13th of March* tugboat.
15. H. Con. Res. 257, commending the work of the U.S. Attache Corps.
16. H. Con. Res. 286, recognizing President Alfredo Christiani's contribution to achieve peace in El Salvador.
17. H.R. 4704, Hopewell Township Investment Act of 1994.
18. H.R. 4939, Frederick S. Green U.S. Courthouse.
19. H.R. 4910, Thurgood Marshall U.S. Courthouse.
20. H.R. 4967, Theodore Levin Federal Building And U.S. Courthouse.
21. H.R. 4495, Airliner Cabin Air Quality Act of 1994.
22. H.R. 2440, Independent Safety Board Act Amendments.
23. H.R. 4460, Water Resources Development Act of 1994.
24. H.R. 4394, Comprehensive One-Call Notification Act.
25. H. J. Res. 417, to extend status quo in Soo Line dispute.
26. H.R. 1520, Petroleum Marketing Practices Act Amendments.
27. H.R. 2919, Indoor Air Act of 1994.
28. H.R. 2305, United States-Mexico Border Health Commission.
29. H.R. 5103, to provide for an Executive Director of the GAO Personnel Appeals Board.
30. H.R. 2970, to reauthorize the Office of Special Counsel.
31. H.R. 5139, reemployment of improperly separated Postal Service employees.
32. H.R. 5084, Census Address List Improvement Act.

33. S. 1312, Pension Annuitants Protection Act.

34. H. Con. Res., Correction in the enrollment of S. 1312.

35. H.R. 4814, central Midwest Interstate Low-Level Radioactive Waste Compact Amendment Consent Act.

36. H.R. 4757, claim settlement of the Confederated Tribes of the Colville Reservation.

37. H.R. 4615, applying the provisions of the Warren Act to the central Utah project.

38. H.R. 4944, Water Desalination Act of 1994.

39. S. 1146, Yavapai-Prescott Indian Tribe Water Rights Settlement Act of 1994.

40. H.R. 3612, to amend the Alaska Native Claims Settlement Act.

41. H.R. 3613, the Kenai Natives Association Equity Act.

42. H.R. 734, to amend the extension of certain Federal assistance to the Pascua Yaqui Indians of Arizona.

43. S. 720, Indian Lands Open Dump Cleanup Act.

44. H.R. 4462, Indian Federal Recognition Administrative Procedures Act of 1994.

45. H.R. 4833, American Indian Trust Fund Management Reform Act of 1994.

46. H.R. 4180, Federally Recognized Indian Tribe List Act of 1994.

47. S. 1919, Rio Puerco Watershed Act of 1994.

48. S. 316, Saguaro National Park Establishment Act.

49. H.R. 4533, National Park Service Entrepreneurial Management Reform Act.

50. H.R. 5096, amend the Pennsylvania Avenue Development Corporation Act of 1972.

51. S. 986, Corinth, MS, Battlefield Act of 1993.

52. S. 1614, Better Nutrition and Health for Children Act.

53. H.R. 5116, Bankruptcy Reform Act of 1994.

54. H.R. 4922, to amend title 18, U.S. Code, regarding the interception of communications for law enforcement purposes.

55. S. 1457, to amend the Aleutian and Pribilof Islands Restitution Act.

56. H.R. 2289, Office of Government Ethics Authorization Act of 1994.

57. H.R. , transfer of Naval vessels to foreign countries.

58. H. Con. Res. 214, United States policy toward Tajikistan.

59. H. Res. , regarding prospect for peace in Northern Ireland.

60. H. Con. Res. 278, United States policy toward Vietnam.

61. S. Con. Res. 74, ban on the use of United States passports in Lebanon.

62. H.R. 2135, Native American Veterans' Memorial Establishment Act.

I would also state to the gentleman that the votes would not begin until 5 p.m. on Monday so Members would have an opportunity to travel back here.



There is also a possibility of some action needed on Monday with the D.C. appropriations bills. The gentleman knows negotiations are still going on in the other body. Maybe that bill can be finished tonight without change, in which case it and all of the appropriation bills would then be on the President's desk before the end of the fiscal year. We all hope for that. But indeed if it does not happen, we may have to take action on Monday on the D.C. appropriations bill.

On Tuesday, October 4, and the balance of the week the House will meet at 10:30 a.m. for morning business on Tuesday and then at noon on Tuesday, and meet at 10 a.m. on Wednesday, Thursday, and Friday.

We will be taking a House Concurrent Resolution Sense of the Congress regarding entitlement spending, subject to a rule, H.R. 3800, Superfund Reform Act of 1994, subject to a rule; S. 455, Payments in Lieu of Taxes Act, subject to a rule; H.R. 5044, American Heritage Areas Partnership Program Act, subject to a rule; H.R. 5110, trade agreements concluded in the Uruguay round of multilateral trade negotiations, subject to a rule; House Joint Resolution 416, Limited Authorization for the United States-led force in Haiti, subject to a rule; and H.R. 3801, Legislative Reorganization Act of 1994, subject to a rule.

On Thursday the House will recess immediately and reconvene at approximately 11 a.m., to receive the President of the Republic of South Africa, Mr. Nelson Mandela, in a joint meeting.

Following the joint meeting, the House will reconvene for legislative business. Conference reports may be brought up at any time. Any further program will be announced later.

I would say to the gentleman as he undoubtedly already knows, it is our hope and intent to finish and adjourn sine die on Friday, October 7. It is impossible today to give Members a specific guarantee as to a time that that might be accomplished, and obviously we will be consulting with the minority throughout the week on what matters may need to be brought up before we can reach that adjournment resolution. But it is our clear intent as early as possible on that day to be able to reach an adjournment sine die.

Finally, let me say that this may be the last time while the distinguished minority leader is minority leader, as he has announced his retirement, to carry on a dialog of this kind about the program for the next week.

Again I want to say to the distinguished minority leader how much respect and affection every Member of this body has for him and his family. I am sorry that we will not have these opportunities again. It has been a real joy to work with the gentleman. He has been a great legislator and a great

patriot and a great American, and everyone here wishes him every good wish for his future plans.

Mr. MICHEL. I thank the distinguished majority leader. I suspect, however, next week we will still have occasion to exchange a few thoughts with one another. As I have observed windups of Congress over the years, why, that last week usually turns out to be quite hectic to the degree that we have had to keep our heads close together to make sure that it all does end on an orderly note.

If I might return the compliment, for me over these past many years, what a joy it has been to work with the distinguished gentleman from Missouri, when we were both junior Members and as we have risen up through the ranks to become leaders in our respective parties. It has been one of those things we will never forget, probably cherish more than anything else in my tenure in this House, the relationships and friendships between individuals as distinguished from the kind of legislative prowess we may or may not have had on any specific bill. That is the real strength of this body, those kinds of friendships that are forged as we have come to know them over the years.

Mr. GLICKMAN. Mr. Speaker, I have no further requests for time at this time, and I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Before yielding, let me say that I have had the pleasure for the past 6 years in this committee of working with the gentleman from Nebraska. I think he is unequalled in members of that committee who have dedicated and spent a great deal of their time, very silently but very methodically and judiciously. He is someone whom his constituents in Nebraska can feel very proud of the efforts he has made toward our national security.

Mr. BEREUTER. Mr. Speaker, I rise in support of the conference report. I want to begin by thanking my distinguished ranking member, the gentleman from Texas [Mr. COMBEST], for his very generous remarks and for the kind of very positive and open relationship he and I have had throughout our 6 years on the Intelligence Committee, where we sat side by side for those 6 years.

I want also to say it has been my privilege to serve under three exceptional chairmen and three exceptional ranking members. Mr. BEILSON, Mr. MCCURDY, and our current chairman, Mr. GLICKMAN are outstanding individuals. They provided exceptional leadership to the committee. They have been ably assisted by our ranking members, Mr. HYDE, Mr. SHUSTER, and Mr. COMBEST during my tenure.

□ 1530

I would also say quite sincerely that I believe that the Permanent Select Committee on Intelligence's staff is, without any doubt whatsoever, the highest quality staff that operates in the House of Representatives. We are extremely well served by them because of their contributions, their dedication and their knowledge of our jurisdictional area. It is unparalleled, and we owe them a debt of gratitude that is often not expressed.

Mr. Speaker, having said that, quite sincerely I want to express regret that it is my sixth and, therefore, my last year as a member of the Permanent Select Committee on Intelligence. Since I am also a member of the Foreign Affairs Committee, in parting I would like to reflect on some of the difficulties the intelligence community faces in coming up with a post-cold-war intelligence program to meet recurrent congressional demands for a fresh, cost-efficient and effective strategy.

Intelligence officials do not make up their own foreign policy—unless they wish to court big trouble—but, rather, exist to support the Nation's established foreign and national security policies. When, as now, under the Clinton administration, America lacks a coherent foreign and national security policy, carefully formulated and appropriately enunciated, it is almost impossible to plan wisely. It is certainly difficult to properly shift financial and personnel resources within the limits of the appropriated funds.

The Clinton administration's ineptness and incoherence in foreign policy has become abundantly clear to nearly every careful observer in America and abroad. As a result, the administration has lunged from one foreign policy crisis to another, embarrassed by contradictions, unsupported threats, and reversals. The ship of state seems to be without a captain, in uncharted waters, even as the world and the American public look to U.S. leadership for direction through a storm of uncertainty, instability, and violence. It is a critical time of world transition, but unfortunately the United States is having very little effect on the shape of things to come.

Given this erratic behavior, how can the U.S. intelligence community plan a strategy of support even through 1996? Given the dearth of direction and leadership and the potentially adverse public reaction to such ill-advised, haphazard ventures as we do undertake, how can U.S. intelligence properly assist in implementing U.S. foreign policy after 1996? Given the military's apparent inability to fight two major regional conflicts simultaneously because of budget cuts and the expenses of the Clinton administration's ill-advised commitments of our military around the world, should the intelligence community seriously program

resources to support this two-major-regional defense policy? Given the White House's unwillingness or disinterest in supporting its Director of Central Intelligence—indeed, its disinterest in the advice of the intelligence community in general—the question is what budgets, programs or strategies are politically supportable for the intelligence community? Since U.S. policy is adrift, it follows logically that the efforts of the intelligence community seem to be adrift as well.

Uncertainties in planning have been exacerbated by the dissolution of the Soviet world empire. This is a violent, vengeful, dangerous time. Sorting out the East-West ideological rivalry was simple compared to divining the threats of terrorist groups and states and the personal and tribal vendettas and agendas within multiethnic States. Even in the more predictable past, it was difficult to foretell the next hot spot. This new multithreat and unstable environment is a good argument for attempting to maintain basic intelligence coverage worldwide. That attempt, however, clashes with new budget realities. How should the intelligence community now decide which countries, regions or topics to write off?

With the changing circumstances at the end of the cold war, the intelligence community's priorities changed to reflect the increasing importance of the counterproliferation, counternarcotics, economic competitiveness, and counterterrorism missions. Additionally, the United States' increasing involvement in regional crises and peace-keeping activities places a growing burden on an intelligence community with declining resources.

At first, the bills were paid by drastically cutting our intelligence community's budget for collection and analysis conducted on the former Soviet States. This was in part justified and in part it was done to show an insistent Congress that the Community had, indeed, adapted to new times. Considering the facts that Russia is markedly less stable and less predictable than in the past and yet Russia remains the only country on earth capable of destroying the United States, one might wonder if changes in priorities went to far too quickly.

But even these drastic cuts could not pay all the bills. It seems the budget cuts require other tradeoffs. Which regions or missions should we write off from our intelligence coverage? Should we cut back on already anemic R&D efforts? Should we change our strategy of investment among the various intelligence components, INTs? Should we favor collection, processing of intelligence, or personnel?

Perhaps the biggest question since the gulf war is our commitment to improve intelligence support for the military. Broad-area imagery, real-time

dissemination, sensor to shooter target information and the critical role of intelligence in information warfare have been much discussed. But the price tags on these innovations are hardly negligible. Again, can we do more—this much more—with less resources? That is apparently the demand.

If we want a new intelligence strategy, we need a foreign policy strategy on which to base it. This bill creates a new Commission of the Roles and Capabilities of the U.S. intelligence community.

Mr. Speaker and my colleagues, as I leave the Permanent Select Committee on Intelligence, I want to remind Members of Congress and the administration that the success of the intelligence community in meeting demands placed upon it by our top policy leaders in the highly unstable and unpredictable post-cold-war environment will largely be determined by whether this administration and the next are able to articulate a coherent foreign policy and national security policy to support it. Mr. Speaker and my colleagues, without the formulation of a coherent and appropriate foreign policy the intelligence community cannot serve as the vital national asset America requires to perform its world leadership role and to protect the lives and interests of the American people.

Mr. Speaker, again I urge the support of this conference report. It is an important improvement from the intelligence authorization legislation earlier reported from the House and a good investment in our Nation's future.

□ 1530

Mr. COMBEST. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DORNAN], a great patriot, an individual whose level of energy is certainly not matched by mine, only envied.

Mr. DORNAN. Mr. Speaker, I thank the gentleman from Texas [Mr. COMBEST] for yielding this time to me, and I want to echo everything that he has said about the honor of serving on this committee, everything the gentleman from Nebraska [Mr. BEREUTER] said, all the staff has said, all of our chairmen, and one tends to be very fond of the current chairman. In this case it is very easy because we are classmates from 1976.

Mr. Speaker, I also am leaving this committee after 6 years, probably the fastest 6 years of my life, and, as with all Members who took their assignment to the Permanent Select Committee on Intelligence seriously, it will be missed, but, as with all Members who have ever served on the committee, I have noticed on both sides of the aisle it has made them a more valuable Member, a more thoughtful Member, a Member better able to evaluate the dangerous state of the world today,

better able to appreciate that the Communist dragon, after killing far more people than even the Nazi regime of Adolf Hitler, finally was slain after three-quarters of a century, only to be replaced by a world of poisonous snakes around us everywhere.

□ 1540

For several years now, many of us have argued against deep cuts against intelligence, because of its support to our military. We have stressed that intelligence serves as a "force multiplier" to the military, and that it can provide timely warnings—that goes without saying—and assessments which can directly enhance the effectiveness of our increasingly downsized forces.

I recall the words of the immediate prior chairman, the gentleman from Oklahoma [Mr. MCCURDY], as the House debated in a 1992 intelligence budget, the one for fiscal year 1993, which the committee had cut by 5 percent. Here is Mr. MCCURDY's exact words on this floor: "This is a significant cut. It represents for a bipartisan majority on the committee the outer limit on which the intelligence community can reasonably be expected to reduce spending next year."

Well, in the last couple of years, Mr. Speaker, we have gone beyond even that outer limit point that the gentleman from Oklahoma set in 1992. The fate of the gentleman from Kansas [Mr. GLICKMAN] has been to withstand pressure for savage cuts, and he has done a magnificent job holding the line.

I am pleased to note that this year's funding of military intelligence needs, while not without substantial reductions, at least has not followed the precipitous path of the past several years. The budget reflected in this conference report before the House will maintain key intelligence capabilities and pay for the development of new systems that we desperately need.

Some may ask, they ask all the time, why we continue to fund our intelligence at these levels, or even greater, as we address the needs of national security and our military in this decade and into the next century. During the Persian Gulf war, now it is fading some 3 years ago in the past, the military took home a number of valuable lessons on how intelligence can better serve our commanders, and most importantly, our young men and women in the field. These lessons included such things as the need for better dissemination of all visual imagery, a broad area search capability, better and real time dissemination of tactical intelligence information, and greater interoperability between and among the individual service elements.

In all these years since Desert Storm, significant improvements have been made in every one of those areas. Interoperability has improved appreciably.



Commanders can communicate in real time over sophisticated conferencing networks from different locations all around the world. In the combat theater of Haiti we are going to see how this works as the rioting builds to a fever pitch and the looting takes place at this very moment we speak on this House floor, with over 20,000 American men and women intermixed in all areas of the country in a very dangerous situation. How much human intelligence are we going to get fed back here to Washington and to our troops?

Other needs, such as the requirement for broad area search capabilities, these are being addressed through the unmanned aerial vehicle programs currently under development. Downlinking capabilities and better dissemination of imagery and other key intelligence information areas have also been improved. All of these improvements have continued and, God willing, will continue to improve, but it is going to require investments of intelligence dollars.

While we have seen our budget shrink, frankly the result has not been all that bad. Smaller budgets have forced greater efficiencies. Fewer dollars have encouraged organizations to work smarter and to work much more efficiently. Interservice research and development and joint activities are becoming the order of the day, finally.

We must be mindful of two things, though, as we look to the future expectations of intelligence budgets over the remainder of this decade. The first is keeping up with technological developments and executing well thought out decisions to modernize military intelligence systems. That is going to cost additional dollars. The development of new intelligence systems or even upgrading what we have is always costly and will have to be reflected in future intelligence budget totals, and, Lord knows, it saves lives.

Second, in recent years we have watched the United States become involved in a number of low-level conflicts ranging from Yugoslavia to Haiti. Regardless of the degree to which the United States becomes involved, at all times intelligence support is going to be key, it must be supported. This often means additional maintenance costs and operational costs associated with every level of intelligence gathering. The establishment of communications lines, not only to support our U.S. needs or NATO treaty needs, but now the U.N., and the deployment of analysts and other intelligence support elements, including all those that are only known to the committees of the Senate and House. There are also moneys which must be reflected in the budget totals which Congress will evaluate in the years to come.

That is my written statement, Mr. Speaker. I just wanted to conclude

with a word to my colleagues that will be seeking to get an appointment to the Intelligence Committee by the Speaker, whichever party that may be, to be determined by an election in about 38 days, and by the minority leader, whichever party Member that might be. I hope our leaders will select people, and I exclude myself from this category, because I also want to say what a pleasure it was to serve with the two that I came on the committee with, the gentleman from Nebraska [Mr. BEREUTER], who has an intelligence background, and the gentleman from Texas [Mr. COMBEST], who has dogged every step of our excellent chairman and made this the primary focus of his congressional duties, and all of those that will have been added since I have been here.

We have a great team on both sides, and with everybody being replaced, I do not know how many will be replaced on the other side, I hope our leaders take due diligence and forget politics when they pick the members to replace us.

To those that want it, and I have had some approach me, that want desperately on this committee, let me tell them the bad side. You do not get day-to-day "hot" information on things happening around the globe. I find everybody on the committee, like me, tunes into CNN to watch the rioting down there in Haiti. Being on intelligence, I have had no leg up on other information sources to find one shred of evidence that the young man who died in Haiti 4 days ago was in fact a suicide. During Mogadishu the attitude at the Pentagon was terrible, that they would not give anybody on our committee, even the leaders on either side, any shred of evidence. They were so psyched by the politics and the people in the suits, rather than the people in uniform in the Pentagon, and it is happening again in Haiti.

But, that is not the purpose of our committee. The purpose of our committee, even though I have an addiction now to the NID, National Intelligence Daily, that I will have a total break with in 3 months, the best part of being on our committee is the long-range planning, the long-range objectives, and getting those hearing to find out whether organized crime does totally run some of the former slave colonies of the Soviet Union and mother Russia herself. It is an excellent committee. There are no press releases, no political gain for it in your district, but I would recommend everybody fight for it, and may the best men and women get those assignments. It has been the most rewarding experience I have had on Capitol Hill.

Mr. COMBEST. Mr. Speaker, I will save my final accolade for the people we could not work without, and that is the staff, those sitting behind me, behind the chairman, and those up in H 405. These are as dedicated and competent people as I have ever known.

Mr. Speaker, I would commend this conference report to the passage of the House, and, with that, yield back the balance of my time.

Mr. GLICKMAN. Mr. Speaker, I yield 1 minute to the patriotic gentleman Congressman from the Gulf Coast of Texas, Mr. LAUGHLIN.

Mr. LAUGHLIN. Mr. Speaker, I just want to echo the accolades that have been passed out, but to also say as a new member of the committee, serving my first 2-year term on the House Permanent Select Committee on Intelligence, how proud I am as an American to see the leadership that we have received from Chairman GLICKMAN and from the ranking Republican from my State, Mr. COMBEST, in leading our committee through the difficult decisions we had to make. Behind the closed doors, great work was done, because we were not of like mind, and we struggled with the decisions we had to make for our Nation's future.

I would say as a soldier of more than 30 years service in the Army, our committee members and staff have served with the same commitment to the welfare and safety and security of America as our uniformed forces, and I am proud of our committee members and the staff that we have working with us.

□ 1550

Mr. GLICKMAN. Mr. Speaker, I yield myself such time as I may consume.

Just in closing, I would say this has been an extraordinarily difficult time for the intelligence community. Changes are in the offing. Great difficulties are occurring and will continue to occur. But with all the criticism that has flowed out of my mouth and other mouths, and hopefully it has been constructive, the fact of the matter is that a strong America in the world depends upon access to good, solid information about what is happening. Where are terrorists located? Where are chemical and biological, nuclear weapons located? Who is passing narcotics to whom? Who maybe is taking advantage of us illegally in the economic transactions of the world. We in this committee which oversee the intelligence community are trying to make sure the intelligence agencies can provide this information.

While changes are going to happen, we should never lose sight of the fact that our goal is high quality information for America so we can continue to be the strongest and freest nation in the world.

Mr. DORNAN. Mr. Speaker, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from California.

Mr. DORNAN. Mr. Speaker, the gentleman's staff is absolutely sensational, patriots all, and so is mine. I did not want to leave that out. Best staffs on the Hill.

Mr. GLICKMAN. Mr. Speaker, we agree on that.

Mr. SPENCE. Mr. Speaker, as the ranking Republican member on the House Armed Services Committee and a conferee to the Intelligence Authorization conference, I joined my Armed Services Committee colleagues RON DELLUMS and NORMAN SISISKY in declining to sign this conference report.

My decision was based on our strong objection to the action taken by the conference in attempting to reverse and overturn the policy position endorsed by the Defense authorization conference regarding how the U-2 reconnaissance aircraft should be funded. The U-2 issue was fully discussed and debated during the Defense authorization conference with the full participation of all relevant committees—including the House Permanent Select Committee on Intelligence—yielding a position endorsed by both Chambers.

However, this conference report, with no participation or prior knowledge by the Armed Services Committee conferees, advances a position on how to fund the U-2 that is diametrically opposed to that taken by both the Defense authorization conference report and the Defense appropriations conference report adopted yesterday.

As most Members know, the Permanent Select Committee on Intelligence and the Armed Services Committee share jurisdiction over a significant portion of the intelligence budget. As such, it is imperative that the two committees work closely in coordinating how these shared areas of jurisdiction are represented in each committee's respective annual authorization bill. While such an arrangement will always present complex challenges, over the years it has worked adequately well on the basis of mutual comity and cooperation. On the U-2 issue, this relationship obviously broke down and the outcome is contrary to the position of the other committees of jurisdiction.

Mr. Speaker, the issue here is not limited to jurisdictional or process concerns. There is a legitimate and long standing policy issue involved. Beginning several years ago, the Armed Services Committee began pressing the Department of Defense and the intelligence community to do a better rationalization on how the intelligence budget is structured and divided. Currently, intelligence funding is broken down into two principal components: national and tactical. In large measure, the category in which a given intelligence program or activity is placed greatly affects how that program is treated in the budget process both in the executive branch and in the Congress. However, we have found that many programs are placed in one category or another for what appear to be largely arbitrary reasons.

In response to the committee's urging, the Department of Defense has begun a process to better rationalize how the intelligence budget is structured. The initial results of the effort were manifested in the fiscal year 1994 budget request wherein several programs with little or no intelligence function were moved out of the intelligence budget and into the defense budget, while other programs were shifted between the national and tactical accounts. The largest single shift in programs within categories was the proposal to shift the U-2 from the national intelligence category to the tactical budget.

The Armed Services Committee took a close look at this proposal and endorsed both the specifics of the proposed U-2 shift as well as the overall effort to better structure the budget. We fully expect this process to continue and look forward to similar progress in the fiscal year 1996 budget process.

For this reason, the effort by the intelligence committees to deny the administration's proposal to fund the U-2 out of the tactical budget is a counterproductive development that directly undermines the ongoing effort to better structure the intelligence budget. Therefore, I oppose this provision of the report and urge the administration not to follow it given specific direction to the contrary already found in the Defense authorization and appropriations bills.

Mr. SISISKY. Mr. Speaker, I join my Armed Services Committee colleagues RON DELLUMS and FLOYD SPENCE in voicing opposition to the provision in this conference report that attempts to reverse the position of the Defense authorization and appropriations conferences on U-2 funding.

As my colleagues have already explained in some detail, our committee worked this issue through in good faith during our conference and arrived at a position that endorses the administration's efforts to better rationalize how the intelligence budget is structured. The recommendation to fund the U-2 as a tactical program instead of a national asset makes perfect sense and ensures that this critical capability will continue to be responsive to the needs of our military commanders during a time of crisis.

However, by rejecting this recommendation, this conference report succeeds in sending the administration a confused and conflicting message from Congress at the same time we are pressing the intelligence community to restructure and find more efficient ways to make do with decreasing resources. We should instead find ways to send a consistent message of encouragement for ongoing efforts to better manage intelligence programs.

It is my hope that the administration will not interpret the conference's action as a rejection of the work being done in this area and will continue to aggressively develop the Joint Military Intelligence Program [JMIP] as a means to better allocate and structure dwindling intelligence resources for our warfighters.

Mr. DELLUMS. Mr. Speaker, I rise in opposition to the conference report.

I have two main concerns: One, a long-standing opposition to the unnecessary level of secrecy in which the intelligence budget is cloaked; and two, the abrupt change in direction that the intelligence conferees have taken in their report regarding two important intelligence programs.

First, I will state to my colleagues once again my belief that the foreign policy activities of this Nation; taken by our Government on behalf of its citizens, should and is, for the most part, done in the open. I believe it is wrong, however, that an arm of our Government is given the authority to conduct operations, other than intelligence gathering, in support of foreign policy goals that are unknown to our citizens. The people of the United States have a right to be engaged in the debate which yields our foreign policy activities. I do not here refer to the important main-

tenance of operational secrecy, but rather to the need to debate in the open whether and when we would engage in hostile operations against another country.

In this context, my concern lies not specifically the overall budget level for intelligence, although I believe that prudent savings in the intelligence budget can be realized with careful planning and a recognition of the many new and open ways in which information flows to policymakers. Additionally, it is the right of the people of our country to know the funding level of its intelligence agencies. I will continue to support legislative efforts that would bring these aspects into the sunshine.

My second objection to the report is concerned more with what has become a blurred relationship between the National Foreign Intelligence, or NFIP programs, and Tactical Intelligence and Related Activities, or TIARA programs. I think it is time we substantially change this arrangement.

I am disappointed and concerned that the conferees have increased the authorization for NFIP above the budget request while authorizing a corresponding decrease in TIARA programs. This action is contrary to actions taken by the conferees on the fiscal year 1995 Defense Authorization and Appropriations Acts and contrary to agreements reached between the Secretary of Defense and the Director of Central Intelligence resulting from their joint review of NFIP and TIARA programs.

We should be focusing on the interoperability of capabilities in support of military operations, ensuring essential improvements for imagery support, as well as developing a new U.S. intelligence program and budget structure to better reflect user needs and priorities, consistent with our changed strategic environment.

The blurring of national versus tactical intelligence was highlighted last year when the committee raised concern in its report on the fiscal year 1994 Defense Authorization bill. The committee then observed that over the years, the boundaries between TIARA and NFIP components of the intelligence budgets have become a source of confusion and contention. The committee was, and continues to be, concerned that the lack of clearly established definitions for NFIP and TIARA have led to the sometimes arbitrary assignment of intelligence programs and functions within these categories. As a consequence, the Armed Services Committee called on the Secretary of Defense and the Director of Central Intelligence to review intelligence programs and activities and provide to Congress a report identifying those programs which support: First, primarily national purposes; second, primarily defensewide, theater activities, and the Unified Command; or three, primarily a single service or agency. The report was also to have identified those programs and activities that should no longer be included in the intelligence budget. Although we have seen fragments and/or bits and pieces of what appears to be a concerted effort to address this matter, a formal, comprehensive report has yet to be provided.

An important review was undertaken by the Department earlier this year to determine what, if any, programs or activities should be removed from TIARA. This effort was undertaken in response to the fiscal year 1994



House Armed Services Committee language asking the Department to identify programs and activities that should no longer be included in the intelligence budget. As a result, the Department determined that, indeed, there were certain programs that fell outside the definition of TIARA used by the congress and has subsequently proposed to delete these activities from the fiscal year 1996 TIARA Congressional Justification Book. These programs include, for example, Ballistic Missile Defense, the Defense Meteorological Support Program, Tanker Support to Reconnaissance, and the Navy's Mapping, Charting and Geodesy, to name a few. When added up, funding for these programs totaled more than a half a billion dollars, in each of fiscal year 1994 and 1995.

Further, earlier this year, now-Deputy Secretary of Defense John Deutch notified officials within the Department of Defense and Congress that effective June 1, 1994, he was establishing the Joint Military Intelligence Program, or JMIP, to focus on joint, defensewide initiatives, activities, and programs that predominantly provide intelligence information and support to multiple defense customers. The goal of the JMIP is to bridge existing programmatic divisions across national and service or departmental intelligence lines to provide more effective and coherent intelligence programmatic decisionmaking and, ultimately, to provide support to military intelligence consumers—policymakers, force modernization planners and warfighters. I concur with the administration in their intent to submit a Joint Military Intelligence Program [JMIP] budget request for fiscal year 1996 this January.

I intend to make the analysis of these and other intelligence-related issues a priority issue for the Armed Services Committee during our review in the next budget cycle.

In closing, Mr. Speaker, I join the calls for openness in the national debate on intelligence funding decisions and for the realignment of the programs I have stated above. As this conference report represents a departure from those goals, I will have to oppose it.

Mr. GLICKMAN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GLICKMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER pro tempore (Mr. WATT). Is there objection to the request of the gentleman from Kansas?

There was no objection.

#### PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO FILE REPORT ON H.R. 4460, WATER RESOURCES DEVELOPMENT ACT OF 1994

Mr. LAUGHLIN. Mr. Speaker, I ask unanimous consent that the Commit-

tee on Public Works and Transportation may have until 6 p.m., September 30, 1994, to file the committee report on H.R. 4460, the Water Resources Development Act 1994.

It is my understanding that this request has been cleared by both the minority leadership of the House and the Committee on Public Works and Transportation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### NATIONAL BREAST CANCER AWARENESS MONTH

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 185) to designate October 1994 as "National Breast Cancer Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentlewoman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I yield to the gentlewoman from Illinois [Mrs. COLLINS] who is the chief sponsor of House Joint Resolution 311.

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise today in proud support of my bill, House Joint Resolution 311 which designates October 1994 as National Breast Cancer Awareness Month. With the support of more than 250 of my colleagues, the generous donation of time and energy by Mr. Elmer Cerin who helped encourage cosponsorships, and the assistance of Chairman CLAY who quickly brought this resolution to the floor, I am pleased that once again, October will be designated as "National Breast Cancer Awareness Month."

I regret that the need for this resolution is so great. The tragic facts, however, are that this year, more than 182,000 women are expected to be diagnosed with breast cancer and 46,000 women and 300 men will die from it. My State of Illinois, alone, will lose 2,200 women to the disease. Most tragic of all is the fact that the cause and cure of breast cancer remain unknown.

With increased funds earmarked especially for breast cancer research, I am hopeful that we will eventually be able to find the cause and a cure for this terrible disease and dramatically reduce the incidence and mortality rate of breast cancer in the United States. Until that time, however, we must use the only weapon that is available to use at this point. Early detec-

tion only through self-examination, examination by our doctor and mammograms—is our only real weapon in the battle against this dreaded disease. If breast cancer is detected early, it can be treated and lives can be saved. In fact, in my State of Illinois, it is estimated that 3,795 lives were saved during the last decade because of early detection.

In order to detect the cancer early and dramatically increase the numbers of survivors, however, we need to continually stress the importance of early detection. For the past several years, National Breast Cancer Awareness Month has provided an opportunity for congressional offices, women's organizations, community groups, news programs, magazines, and newspapers to do so in meaningful ways.

Clearly, we have a long, tough road ahead of us until this disease is finally conquered. In the meantime, however, I hope that we can continue to work together to make National Breast Cancer Awareness Month a time of heightened awareness of the need for early detection by all women and those who love them.

Mr. PORTER. Mr. Speaker, further reserving the right to object, I commend my good friend and colleague the gentlewoman from Illinois, for sponsoring this very important resolution.

Mr. Speaker, continuing my reservation of objection, I yield to the gentlewoman from Maryland [Mrs. MORELLA] for comments on National Breast Cancer Month.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Illinois [Mr. PORTER] for yielding to me.

Mr. Speaker, I rise in strong support of Senate Joint Resolution 185, to designate October as Breast Cancer Awareness Month. Many of us stand together in support of this resolution each year, but its passage continues to be critical.

Mr. Speaker, it is estimated that in 1994, 46,000 women will die from breast cancer, and another 182,000 women will be diagnosed with the disease. Breast cancer is the leading cause of death for women between the ages of 35 and 54. Seventy-five percent of all breast cancers occur in women with no known risk factors. One out of eight women will be diagnosed with breast cancer sometime in their lifetime; in 1960, the number was 1 in 20 women.

Over the past several years, this commemorative resolution has been critical in bringing public attention to this epidemic and educating women about breast cancer. Mr. Speaker, we are moving in the right direction; funding for breast cancer has been substantially increased in the past several years. But we must be vigilant in keeping this momentum going by ensuring access for all women to appropriate methods of detection and treatment for breast cancer and by ensuring that

breast cancer research continues to be well funded.

Mr. Speaker, I recently participated in a hearing held by the Subcommittee on Compensation and Employee Benefits, on which I serve as ranking Republican member, during which we discussed the need to expand the Federal Employees Health Benefits Program to cover high dose chemotherapy with autologous bone marrow transplants [HDC/ABMT], the treatment that has been effective for many women with very advanced stages of breast cancer, multiple myeloma, and epithelial ovarian cancer. I am pleased to announce that OPM has announced that every plan participating in FEHBP will soon be required to cover HDC/ABMT. I want to congratulate OPM Director, Jim King, and Curtis Smith of OPM, who were instrumental in this effort.

I commend the gentlewoman from Illinois for her sponsorship of this critical resolution, and I urge my colleagues to support it.

Mrs. LLOYD. Mr. Speaker, I am pleased today to lend my strong support for passage of Senate Joint Resolution 185, designating the month of October as Breast Cancer Awareness Month. I commend my friend and colleague, Representative COLLINS for her continued commitment and leadership in this area.

In 1994 alone, 182,000 women will be diagnosed with breast cancer, and 46,000 women will die of this dreaded disease. The epidemic proportions of this disease affects not only women and their families but also costs this Nation over \$6 billion in medical costs. It is the most common cancer among women in the United States and its incidence is on the rise.

National Breast Cancer Month can bring about changes in the way women receive health care in this country by increasing the public awareness of this dreaded disease, and by encouraging the practice of early detection techniques such as self-examination and mammography.

As a breast cancer survivor, I personally know of the value of early detection and the need to spread awareness of this disease. Until a cure for breast cancer is found, women must concentrate on prevention. Early detection does save lives.

Mrs. VUCANOVICH. Mr. Speaker, today I rise with great pleasure to support Senate Joint Resolution 185 which designates October 1994 as National Breast Cancer Awareness Month.

During the last year, our Nation has seen a number of exciting changes in the area of breast cancer research. Promising developments in gene identification give hope to every mother who has had breast cancer. As a breast cancer survivor and a mother, grandmother, and great grandmother I pray for the day when there will be early identification and a cure for this dreaded disease.

Until that day, however, it is absolutely essential that women and men know the facts. Breast cancer can kill and early detection is the best means of survival. Women must perform a monthly basic self examination, obtain a yearly breast examination by a health pro-

fessional, and obtain a mammogram after the age of 40. Let October 1994 be a reminder to women and their families to use these tools for early detection. Let October 1994 be a reminder to Congress that we have much more work to do in the fight against breast cancer. Approximately 46,000 women are expected to die this year from this devastating disease and that is 46,000 too many. Congress must work together to make early detection techniques more affordable and accessible to women.

Senate Joint Resolution 185 deserves your support and I know it will have mine. Knowledge is the key if we are to win the war against breast cancer.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 185 which designates October 1994 as "National Breast Cancer Awareness Month."

Mr. Speaker, I continually find the statistics on breast cancer, and the mortality rate from breast cancer highly distressing. An estimated 180,000 new cases of breast cancer among women were diagnosed in the United States during 1992. Approximately one of every nine women will develop breast cancer during her lifetime. Additionally, breast cancer occurs rarely in men. Moreover, breast cancer incidence rates have increased about 3 percent a year since 1980. Some of this increase is believed to be due to screening programs detecting tumors before they become clinically apparent.

In spite of these shocking statistics many women do not practice routine breast examinations or utilize today's advanced mammography technology. I hope designating October as "National Breast Cancer Awareness Month" will reveal to all Americans the importance of prevention and early detection, because one in every five deaths from breast cancer could be avoided by early detection.

Educating the public on the warning signals of breast cancer is essential to combating this life-threatening disease. Breast changes that persist, such as a lump, thickening, swelling, dimpling, skin irritation, distortion, retraction, scaliness, pain, or tenderness of the nipple must be brought to the attention of a physician. Early detection and treatment can save lives.

Statistics show that women with early stages of breast cancer, when the disease is still localized, experience a 92-percent survival rate, while the survival rate for women with more advanced regional cancer is only 71 percent. Even more tragic is the fact that the survival rate for women with breast cancer which has advanced to more severe stages is only 18 percent.

Surely this is a disease for which an ounce of prevention is worth a pound of cure. National Breast Cancer Awareness month can help get this message out and can actually save women's lives.

Accordingly, I urge my colleagues to vote in favor of Senate Joint Resolution 185.

Ms. SNOWE. Mr. Speaker, I rise today in support of Senate Joint Resolution 185, which designates October as "National Breast Cancer Awareness Month." Greater recognition is necessary because we have no cure for breast cancer.

The medical profession can prolong lives, and if a woman survives breast cancer for 5

years, according to medical statistics, she is considered a survivor. Yet, one in eight women will be diagnosed with breast cancer in her lifetime. Breast cancer is expected to kill 46,000 women and afflict another 182,000 women in 1994.

As cochair of the Congressional Caucus for Women's Issues, I have worked diligently to have women included in clinical research trials, to increase funding for basic and clinical research on breast cancer, and for women to have access to treatment and early detection services such as mammography. Through the efforts of the caucus and other breast cancer advocates, breast cancer research has increased. More of the National Cancer Institute's research funds are budgeted for breast cancer than any other type of cancer. And this has paid off. Just this month, there was an announcement of the discovery of a gene that causes breast cancer. Progress is being made.

But in fact, this discovery may only affect a small proportion of women, probably only 5 percent of all discovered breast cancers in women with a family history due to an inherited defective gene. What about all the other women? The mothers, sisters, and friends who are in the other 95 percent?

Mammography screening, coordinated with clinical breast examination and breast self-examination, is the most reliable tool for detection of breast cancer. Breast cancer treated at its earliest stages costs about \$14,000 as contrasted with advanced stage treatment which costs more than \$84,000, according to the Centers for Disease Control and Prevention, not to mention the potential for additional years of healthy living and the untold suffering and pain that could be avoided by taking simple preventive measures.

I urge my colleagues to support Senate Joint Resolution 185 to designate October "National Breast Cancer Awareness Month." Help spread the word that regular mammograms, self-examination, and examinations by health care providers increase the success of treatment and the survival rate. You will be saving lives.

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 185

Whereas breast cancer will strike an estimated 182,000 women and 1,000 men in the United States in 1994;

Whereas the risk of developing breast cancer increases as a woman grows older;

Whereas breast cancer is the second leading cause of cancer death in women, and will kill an estimated 46,000 women and 300 men in 1994;

Whereas the 5-year survival rate for localized breast cancer has risen from 78 percent in the 1940's to over 90 percent today;

Whereas most breast cancers are detected by the woman herself;

Whereas educating both the public and health care providers about the importance of early detection will result in reducing breast cancer mortality;

Whereas appropriate use of screening mammography, in conjunction with clinical



examination and breast self-examination, can result in the detection of many breast cancers early in their development and increase the survival rate to nearly 100 percent;

Whereas data from controlled trials clearly demonstrate that deaths from breast cancer are significantly reduced in women who have been screened by mammography;

Whereas many women are reluctant to have screening mammograms for a variety of reasons, such as the cost of testing, lack of information, or fear;

Whereas access to screening mammography is directly related to socioeconomic status;

Whereas increased awareness about the importance of screening mammography will result in the procedure being regularly requested by the patient and recommended by the health care provider; and

Whereas it is projected that more women will use this lifesaving test as it becomes increasingly available and affordable: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1994 is designated as "National Breast Cancer Awareness Month" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate programs and activities.*

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE YEAR OF GOSPEL MUSIC

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 157) to designate 1994 as "The Year of Gospel Music," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, and I do not object, I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 157

Whereas Gospel music is a uniquely American art form, one that has provided hope and inspiration for generations of Americans;

Whereas Gospel music the forerunner of many forms of popular music in the United States;

Whereas Gospel music an important art form, and a vital part of our cultural heritage; and

Whereas it is in our national interest to promote and preserve Gospel music for generations of Americans to come: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1994 is designated "The Year of Gospel Music", and that the President is authorized and requested to issue a proclamation calling upon the people of the United States to mark that year with appropriate ceremonies and activities.*

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### YEAR OF THE GRANDPARENT

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 198) designating 1995 as the "Year of the Grandparent," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply inform the House that the minority has no objection to the legislation now being considered.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 198 which designates 1995 as the "Year of the Grandparent."

Mr. Speaker, in lieu of the ever-increasing breakdown of family values and lack of the parental presence, it is in the best interest of this Congress to promote and support the crucial role that grandparents play in our youth's development.

The steady increase in reported child abuse and neglect is one of the past decade's most troubling trends. More than 2.9 million children were reported abused or neglected in 1992. Experts believe that increasing economic stress on families and crises caused by drugs and violence have fueled the rise in abuse and neglect.

Additionally, an increasing number of children are growing up in a home where both parents work. Children are spending more time in a day care setting, at an earlier age. In many instances, grandparents have taken on the role of day care provider. Grandparents provide the nurturing support that grandchildren need, as well as providing the support system for their own children.

Mr. Speaker, it is vital that we recognize the sacrificial and far-reaching impact that grandparents have made throughout our society.

Accordingly, I urge my colleagues to give grandparents the recognition they deserve, by declaring 1995 as the "Year of the Grandparent."

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 198

Whereas grandparents bring a tremendous amount of love and power for good into the lives of their grandchildren;

Whereas grandparents, in partnership with parents, help deepen every child's roots and strengthen every child's wings so that every child may soar into adulthood with a glad heart and a confident spirit;

Whereas grandparents are a strong and important voice in support of the happiness and well-being of children;

Whereas grandparents often serve as the primary caregivers for their grandchildren, providing a stable and supportive home environment;

Whereas grandparents should be acknowledged for the important role they play within families, and for the many and varied contributions they make to enhance and further the value of the family and family traditions;

Whereas public awareness of and appreciation for the contribution of grandparents should be strengthened;

Whereas grandparents should be encouraged to continue as a vital force in the shaping of American families today and into the future;

Whereas the Nation acknowledges the contributions of grandparents by celebrating National Grandparents Day each September; and

Whereas there should be a year-long national celebration of grandparents and grandparenting: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1995 is designated the "Year of the Grandparent", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe that year with appropriate programs, ceremonies, and activities.*

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WORLD POPULATION AWARENESS WEEK

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 135) designating the week beginning October 25, 1993, as "World Population Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would just simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I rise in support of House Joint Resolution 268, designating the week beginning October 23, 1994, as "World Population

Awareness Week." Over 3,000 events around the world will be held in honor of this year's World Population Awareness Week, which will highlight the recent success of the United Nations Conference on Population and Development, otherwise known as the ICPD, held in Cairo, Egypt earlier this month.

Mr. Speaker, I had the honor of traveling to Cairo to attend the ICPD as a congressional delegate, and I commend the organizers of World Population Awareness Week for focusing this year's events on prompt and meaningful follow-up to the conference. The Population Conference was one of the most critical meetings in world history. Delegates to this conference, representing over 160 countries, agreed, with very few exceptions, by unanimous consent to a program of action to slow population growth over the next 20 years. How well the world community implements that document will determine the quality of life for every person on earth well into the future.

Mr. Speaker, I would like to commend the fine work of the U.S. delegation to the conference and our delegation's leaders. The U.S. delegation, which included representatives from the administration, Congress and a range of non-governmental organizations, garnered widespread praise for working toward genuine compromise and consensus. I would also like to acknowledge President Mubarak and the Egyptian people for hosting the conference and for their hospitality and warmth. Finally, I would like to thank the other governments, their leaders and non-governmental organizations from around the world who participated in the conference and helped make it a true success.

Approximately 5.5 billion people occupy the world today. As has been cited many times, if actions are not taken to slow the current rate of population growth, the world's population could reach 12.5 billion or more by the year 2050. Over 90 percent of this growth will take place in the developing world, where governments are already struggling to meet the basic needs of their people. If governments carry out the actions outlined in the Cairo document, global population will reach only 9.8 billion as opposed to 12.5 billion by the middle of the next century.

In my mind, slowing this rate of growth is the most important challenge the world community faces and one where the United States must demonstrate international leadership. Rapid population growth is both the cause and result of persistent poverty, natural resource scarcity, mass migrations, disease and other conditions which undermine sustainable development efforts and lead to political instability. With the threat of communism over, the United States must now turn its attention to these urgent matters.

Thanks in large part of U.S. leadership, delegates to the Cairo Conference agreed that, rather than adopt strict national targets for reducing fertility and impose top-down contraceptive programs, the best way to slow population growth over the long run is to empower individuals, especially women. I have long argued that it is a fundamental human right to determine the number, timing, and spacing of one's children and to have the means to do so. Delegates to the conference recognized this right and identified the obstacles which prevent individuals from exercising it.

The conference delegates overwhelmingly agreed, Mr. Speaker, that the inaccessibility of safe, affordable, and comprehensive reproductive health care and women's low status prevent millions of women from exercising the control over their fertility that they desire. The International Planned Parenthood Federation (IPPF) estimates that more than 500 million women lack access to safe and effective family planning. Even where these services are available, social, cultural and economic barriers may prevent women from using them.

In many parts of the world, women are denied education, secure livelihoods, and the full legal and social rights of citizenship, and as a result may depend on children as their only means of attaining status and security. Where women are better educated, have more economic opportunities and political freedoms, they not only have greater power to make decisions over their fertility, but they generally want to have fewer children in the first place.

Mr. Speaker, representatives from 160 countries—representing a wide range of moral beliefs and political ideologies—agreed in Cairo that enhancing educational, political, and economic opportunities for women is perhaps the surest way to curb further population growth. In many parts of the world, acknowledging that gender equality is a laudable goal is absolutely radical. In this context, it is a near miracle that these 160 governments agreed to take concrete steps to eliminate legal and social barriers to gender equality within their borders.

While the media focused almost entirely on the discord over abortion at the conference, the Cairo Conference was in fact characterized by an extraordinary degree of international agreement rivaled only by the Earth Summit held 2 years earlier. Given the sensitive nature of the issue, the degree of consensus at the Population Conference is unprecedented. Even the Vatican, which appeared determined to obstruct progress at the conference, in the end joined in consensus on several parts of the Cairo document, including the chapters on "Gender Equality" and the "Interrelationship between Population, Sustained Economic Growth, and Sustainable Development."

Mr. Speaker, the type of negotiation and agreement that prevailed both prior to and during the ICPD should serve as a model for dealing with other global issues that confront humanity and place demands on our shared planet. The majority of delegates, in partnership with non-governmental organizations, operated under the assumption that the interests of the human community cut across national and ideological boundaries. Only through this type of cooperation can we prepare for the future rather than letting the future overtake us.

It is imperative that the United States lead the world in implementing the program of action agreed to in Cairo. As a first step, it is very important that we declare the week of October 23d as World Population Awareness Week. I urge my colleagues to support House Joint Resolution 268.

Mr. Speaker, I yield to the gentleman from Maryland [Mrs. MORELLA] for comments on the World Population Awareness Week resolution.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise in support of the measure before us, Senate Joint Resolution 135, World Population Awareness Week. There is also the counterpart on the House side, H.J. Res. 268, that was introduced by the gentleman from California [Mr. BEILENSEN]. I think it is so important that we look at overpopulation and population awareness.

Overpopulation is an issue touching nearly every aspect of our lives, including unemployment, immigration, disease, hunger, and ecological degradation. The world's population is almost at the 5.6 billion mark and is expected to double by 2025. Ninety percent of this growth will occur in developing countries, those countries already hard-pressed to provide food, shelter, education, employment, and basic health and social services to their citizens. With 93 million people added to the planet last year, an increasing strain on environmental and economic systems is incurred as natural resources are consumed at greater rates.

The impact of human population growth, combined with widespread poverty, is evident in mounting signs of stress on the world's environment, particularly in tropical deforestation, erosion of arable land and watersheds, extinction of plant and animal species, global climate changes, waste management, and air and water pollution.

Earlier this year, the gentleman from California [Mr. BEILENSEN] and I introduced the International Population Stabilization and Reproductive Health Act, and Senators BINGAMAN and SIMPSON introduced similar legislation in the Senate. This legislation will establish accessibility to family planning services and information as a principle objective of U.S. foreign policy. Of critical importance is the bill's emphasis on improving the health, social, and economic status of women as essential for any country's economic progress. It has been established that women who participate in the social, economic, and political affairs of their communities are more likely to exercise their choices about childbearing than those who do not. Indeed, it is important to note that the current rate of global population growth would decrease by 30 percent if women were able to have only the number of children they wanted.

Whether the Earth's population doubles or triples in the next century will be determined by actions we take during this decade to improve access to family planning programs for all women who desire it.

Rapid population growth fuels tensions and instability, as hopelessness and desperation arise from rapid urbanization, lack of government services, unemployment, and declining public health standards. As early as 1980, the



National Security Council reported that "these factors add up to a growing potential for social unrest, political instability, mass migrations and international conflict."

Mr. Speaker, I finally just want to allude to what I consider to have been a very successful International Conference on Population and Development that was held in Cairo. The gentleman from Illinois [Mr. PORTER] was there with me and the gentleman from California [Mr. BEILENSEN], the gentleman from New Jersey [Mr. SMITH], the gentlewoman from Colorado [Mrs. SCHROEDER], and the Senator from Wyoming [Mr. SIMPSON].

At that conference, we entered the conference with 92 percent of the plan of action already approved, so only 8 percent was considered in terms of possible changes. The conferences looked to the effect on the environment, migration, family responsibility, health care, and the education of women. Now it is up to us in Congress and in other bodies to move forward beyond the plan of action.

Mr. GILMAN. Mr. Speaker, I rise in support of Senate Joint Resolution 135, which designates the week beginning October 23, 1994, as "World Population Awareness Week." I commend my colleague, Congressman BEILENSEN, for working so tirelessly to educate us on global population issues.

This is a vital international issue. This resolution seeks to educate Americans about overpopulation and the dramatic effects that global population will have on the world's future. Our world population today exceeds 5.7 billion, and increases at the rate of some 100 million per day.

Population growth is fast becoming one of the most critical issues impacting our society, and the world at this time. Population trends affect our lives in profound ways. Poverty and food supply, the international economy, the environment, and the health of children and women around the world are all influenced by population growth.

It is critical for us as policy-makers to understand population's significant relationship to our global society.

This resolution comes at an appropriate time, as the United Nations has recently concluded its International Conference on Population and Development. This Conference, which examined global population, child and maternal health, education of women and girls, development in Third World countries, and a host of other issues, brought worldwide attention to the issues related to rapid and unsustainable population growth.

Population and family planning are crucial matters for our environment, our economy, and our children's future. World Population Week serves as an important time for Americans to focus on these issues, I urge my colleagues to support this resolution.

Mr. BEILENSEN. Mr. Speaker, I rise today in strong support of Senate Joint Resolution 135, which I introduced with our colleague, the gentleman from Illinois [Mr. PORTER], to designate the week of October 23, 1994, as "World Population Awareness Week." The

purpose of this observance, which has already been approved by the Senate, is to increase understanding about overpopulation and the adverse effects that rapid global population growth will have on the world's future.

The rapid growth of the human population is the No. 1 problem facing our planet and yet, there is a general lack of awareness of how rapidly the world's population is growing and the fact that what we do this decade will significantly determine the kind of world we leave to future generations.

The world's population now exceeds 5.6 billion people, and it is growing by almost 100 million people every year. Every day every single day, there are 260,000 more people on the Earth than there were the day before. Day after day, inexorably, unendingly, relentlessly more than a quarter of a million people are added to the population: a quarter of a million more people to provide shelter, jobs, health care, and drinking water for, a quarter of a million more mouths to feed and children to educate.

Nearly 95 percent of this increase is occurring in developing countries, countries which cannot begin to adequately take care of their existing populations, where there are already too few jobs, inadequate schools, inadequate health care, inadequate amounts of food and, usually, very little, if any, individual freedom.

Future prospects, moreover, are even more staggering. The United Nations' high fertility populations indicate that even if the total fertility rate drops from the current world average of 3.2 children per woman to stabilize at 2.5 children—quite a significant reduction—world population could still grow to 12.5 billion by the year 2050. And, if effective action is not taken within this decade, as today's 1.6 billion children in the developing world under the age of 15 reach their child-bearing years, the Earth's population could nearly quadruple to over 19 billion people by the end of the next century.

This rapid growth underlies virtually every environmental, developmental, and national security problem facing the world today. In much of the developing world, high birth rates, caused largely by the lack of access of women to basic reproductive health services and information, are contributing to intractable poverty, malnutrition, widespread unemployment, urban overcrowding, and the rapid spread of disease. Population growth is outstripping the capacity of many nations to make even modest gains in economic development, leading to political instability and negating other U.S. development efforts. In the next 15 years, developing nations will need to create jobs for 700 million new workers, which is more than currently exist in all of the industrialized nations of the world combined.

Overpopulation, however, is not a problem for lesser developed countries only. In November 1993, the U.S. Census Bureau revised its domestic population estimates, projecting U.S. population to reach 392 million people by the year 2050, more than a 50 percent increase from the 1990 population. This is the equivalent of adding more than 38 cities the size of Los Angeles. But if current trends continue, the Nation's population could double during the same time period; if this growth remains unchecked, it is easy to foresee a dramatically lower quality of life for our children.

Earlier this month, representatives of nearly 180 countries met in Cairo at the International Conference on Population and Development [ICPD] to forge a new international consensus on the importance of slowing population growth, and to reach a final agreement on a Program of Action that will help guide the population programs of the United Nations and national governments into the next century.

As a member of the U.S. delegation, I can report that the Cairo conference, was a remarkable success. In contrast to previous population conferences, and to the picture of controversy portrayed by the media, there was an exceptional level of consensus among participating governments on such diverse issues as sustainable development, gender equity, reproductive health, migration and funding requirements.

The ICPD Plan of Action represents an historic opportunity to adequately address the world's exponential population growth while placing an emphasis on individual choice and freedom. But to reap the benefits of this conference, we are going to have to find a way to keep attention focused on the population problem. This is what we hope to achieve by passing this resolution.

This year, in recognition of World Population Awareness Week, events are being planned in every congressional district. Over 110 national and local organizations, including the National Wildlife Federation, the United Methodist Church, and the American Public Health Association, are involved in planning discussion groups, films, and other educational events to raise public awareness of this critical issue. In addition, many international organizations as diverse as the International Confederation of Midwives, the Catholic University of Lublin, Poland, and the Family Life Association of Swaziland are also observing the week.

Mr. Speaker, I believe World Population Awareness Week provides an important opportunity for Americans to learn more about the rapid growth of the world's population and its dire consequences for the environment, for food supplies, for political and social stability, and for the well-being of people in this country and around the world. I am hopeful that as Americans learn more about this problem, they will recognize that slowing population growth is the most humane, farsighted, and economically effective effort this country and the international community can undertake to improve life on earth for generations to come.

I urge my colleagues to join me in supporting this legislation.

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 135

Whereas the population of the world today exceeds 5.5 billion and increases at the rate of some 100 million per year;

Whereas more than 90 percent of world population growth occurs in developing countries, those least able to provide even basic services for their citizens;

Whereas rapid population growth and overconsumption are major deterrents to sustainable development;

Whereas 40 countries with 40 percent of the population of the developing world are currently unable to provide enough food for their inhabitants to meet average nutritional requirements;

Whereas the global community has for more than 25 years recognized the basic right of individuals to voluntarily and responsibly determine the number and spacing of their children;

Whereas expanded accessibility to family planning has led to a world with 400 million fewer people than there might have been;

Whereas at least one-half of the women of reproductive age in developing countries want to limit the number of their children, but lack the means or ability to gain access to modern family planning methods;

Whereas numerous studies provide compelling evidence of a strong correlation between a smaller desired family size and the elevation of the status of women, especially through opening educational and employment opportunities; and

Whereas preparations are underway for the 1994 International Conference on Population and Development (ICPD) in Cairo, Egypt, focusing world attention on the integral linkage between population, sustained economic growth and sustainable development—more specifically, the importance of family planning, the role of women, the effects of migration, the need for increased resources, and the devastation caused by AIDS: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the week beginning October 25, 1993, is designated as "World Population Awareness Week," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such a week with appropriate programs, ceremonies, and activities.

#### AMENDMENT OFFERED BY MRS. BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BYRNE: Page 2, line 3, strike "October 25, 1993" and insert "October 23, 1994".

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE].

The amendment was agreed to.

#### AMENDMENT TO THE PREAMBLE OFFERED BY MRS. BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment offered by Mrs. BYRNE to the Preamble: In the last whereas clause of the preamble—

(1) strike "preparations are underway for"; and

(2) strike "focusing" and insert "will focus".

The SPEAKER pro tempore. Question is on the amendment to the preamble offered by the gentlewoman from Virginia [Mrs. BYRNE].

The amendment to the preamble was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

#### AMENDMENT TO THE TITLE OFFERED BY MRS. BYRNE

Mrs. BYRNE. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment to the title offered by Mrs. BYRNE: Amend the title so as to read: "Joint Resolution designating the week beginning October 23, 1994, as 'World Population Awareness Week'".

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

□ 1600

#### NATIONAL GOOD TEEN DAY

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 326) designating January 16, 1995, as "National Good Teen Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentlewoman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. TRAFICANT. Mr. Speaker, I rise today in support of H.J. Res. 326, designating January 16, 1995, as "National Good Teen Day."

I introduced this bill earlier this year because I believe that a national day should be created to focus on the positive qualities in America's Youth. For the past 2 years Presidents Clinton and Bush have signed this initiative into law, officially decreeing January 16, 1993, and January 16, 1994, as "National Good Teen Day." In fact, in his proclamation observing this important day, President Clinton remarked, "We are justifiably proud of American teens. They deserve our recognition and appreciation, and it is fitting to honor them."

Mr. Speaker, the concept of a "Good Teen Day" was created by Mr. Robert Viencek, an instructor of English at Salem, (OH), High School in my congressional district. He selected January 16 as "Good Teen Day" because, in part, Abraham Lincoln, our 16th President, was quoted as saying, "When you look for the good in man, you'll always find it." Viencek also notes that the 16th is "... a special year in the lives of teenagers, as it is the age when many young people start to drive and start to work. It is also the middle date of the seven teen years—13 to 19."

Since 1992, the Salem City Schools, the city of Salem and the Ohio House of Representatives have all helped to expand Mr. Viencek's vision by declaring "Good Teen Day" on the local and State level. "National Good Teen" appropriately caps this steady progression.

Mr. Speaker, America's 24 million teenagers are the future of this great country and they deserve to be recognized. "National Good Teen Day" is a step in this direction.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 326

Whereas Salem City Schools in Salem, Ohio, have proclaimed January 16, 1992, as "Good Teen Day";

Whereas both the United States Congress and the President of the United States have proclaimed January 16, 1993, and January 16, 1994, as "National Good Teen Day";

Whereas there are more than twenty-four million teenagers in the United States according to the 1990 census;

Whereas our Nation's teenagers represent an important part of our society, and the many physical and emotional changes and character-building experiences which teenagers go through are an important concern;

Whereas it is easy to stereotype teenagers as either those who have problems or those who excel;

Whereas teenagers should not simply be recognized for their intelligence, abilities, skills and talents, but rather for the good which is inherent in all human beings;

Whereas as unique individuals, teenagers are encouraged to esteem the good as well as the potential that is within each of them;

Whereas a day should be created to focus on the positive qualities in America's youth; and

Whereas teenagers are the future of this great country: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That January 16, 1995, is designated "National Good Teen Day," and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day by recognizing the teenagers of the United States and by participating in appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### IRISH-AMERICAN HERITAGE MONTH

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 401) designating the months of March 1995 and March 1996 as "Irish-American Heritage Month."

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. MANTON. Mr. Speaker, I rise today in support of House Joint Resolution 401, a resolution I introduced to proclaim the months of March 1995 and 1996 as "Irish-American Heritage Month." I am pleased that a majority of



my colleagues have joined me in sponsoring this important resolution. I would also like to thank Chairman CLAY for bringing this resolution to the floor.

This is the fifth consecutive year I have introduced this legislation in celebration of the over 40 million Americans of Irish descent. This resolution has particular significance because 1995 marks the 150th anniversary of the Great Hunger that devastated Ireland between 1845 and 1851. Within 5 years, the famine reduced a population of 8.1 million by almost half through death and mass emigration of the Irish to the United States, Canada, and England.

These Irish immigrants of the mid-19th century and those who followed in later years dedicated themselves to helping build this Nation. According to the most recent census data, more than 44 million Americans are of Irish descent. House Joint Resolution 401 is designed to celebrate the heritage of these Irish-Americans and complement the hundreds of parades and activities sponsored around the United States every March in honor of St. Patrick's Day.

Mr. Speaker, the idea for an Irish-American Heritage Month was first conceived by the late John W. O'Beirne, chairman of the American Foundation for Irish Heritage. The passage of this resolution will serve as a tribute to his hard work and dedication to increase the awareness of Irish-American heritage.

Mr. Speaker, I am honored to sponsor this resolution which remembers the millions of Irish who died or were forced to flee Ireland during the Great Potato Famine and pays tribute to their descendants in the United States who continue to contribute to all facets of American culture.

Again, I would like to thank my friend Mr. CLAY for bringing House Joint Resolution 401 to the floor today. I urge my colleagues to join me in supporting this important resolution.

Mr. GILMAN. Mr. Speaker, I am pleased and honored to join in support of this resolution to honor Irish-American heritage. I commend my colleague from New York, Mr. MANTON, for his leadership and support for this resolution.

More than 40 million Americans trace their ancestral roots to Ireland, and are immensely proud of its rich heritage.

The contributions of Irish Americans and that proud heritage are an integral part of American history from the American Revolution through today.

It is little noted, but at one time our President, the Speaker of the House, and the Senate Majority Leader were all of Irish heritage. During the administration of John F. Kennedy, the Irish in America held the three highest elected offices in the land. In the modern era, former President Ronald Reagan proudly pointed to his Irish heritage and ancestral family links to Ballyporeen, County Tipperary, Ireland.

The Irish have given much to American politics, and also in the areas of sports, law enforcement, commerce, law, our armed services, the arts, and literature. The Irish have contributed to this great Nation's history and culture. A month honoring that heritage is a fitting tribute to the numerous significant contributions of those of Irish heritage in American society.

Yesterday, in Washington, we hosted Dick Spring, the Deputy Prime Minister and Foreign Minister of the Irish Republic. In addition, we are working to move OPIC legislation along in the Congress to facilitate up to \$60 million in loan guarantees for Ireland to help foster the current peace process, a process that presents the best change in 25 years for peace in the North of Ireland.

This is an important and critical moment of America's relationship with Ireland. The Irish in America will play a critical role in seeing that a lasting peace becomes a reality. I am gratified to report that Ireland is up front on America's agenda today.

I am pleased to rise in support of this important measure, and I urge my colleagues to join in support of this timely resolution.

Thank you.

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 401

Whereas 150 years ago, the blight that struck Ireland's potato crop ("the single root that changed the history of the world"), known as the Great Famine, caused 2,000,000 of Ireland's population to emigrate, mostly to America's shores;

Whereas in 1847 alone, 25,000 Irish immigrants arrived in Boston;

Whereas by 1851, the end of the famine exodus, 1,712 emigrant ships had sailed up the Narrows into New York harbor;

Whereas during the "Great Hunger" (1845-1851) more people left Ireland than had emigrated in the previous 250 years;

Whereas within a few years of their arrival in the United States, these Irish immigrants took jobs as laborers, built railroads, canals, and schools, dedicated themselves to help build this Nation, and this same legacy remains a part of today's American mainstream;

Whereas James Smith, George Taylor, Matthew Thornton, and Charles Thomson, 4 of the individuals who signed the Declaration of Independence, were Irish born and 9 other signers were of Irish ancestry;

Whereas Irish-born James Hoban designed and supervised the building of the White House and its restoration after it was burned in 1814;

Whereas more than 200 Irish-Americans have been awarded the Congressional Medal of Honor;

Whereas 19 Presidents of the United States proudly claim Irish heritage, included among them, the first President, George Washington;

Whereas John W. O'Beirne, Founder of the American Foundation for Irish Heritage, first requested in 1990 that Congress designate March as "Irish-American Heritage Month"; and

Whereas the 44,000,000 Americans of Irish ancestry, like their forebearers, continue to enrich all aspects of life in the United States, in science, education, art, agriculture, business, industry, literature, music, athletics, military and governmental service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the months of March 1995 and March 1996 are designated as

"Irish-American Heritage Month". • The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe these months with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### NATIONAL CHILDREN'S DAY

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 389) to designate the second Sunday in October 1994 as "National Children's Day."

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. KENNEDY. Mr. Speaker, it seems that every time we turn on the television, every time we turn up the radio, every time we read a newspaper or magazine we see and hear yet another story about another young person lost to the endless and hopeless cycle of violence, poverty, drugs, and despair.

Yet we rarely take the time to focus on the American youth across our great Nation who are making strides, both large and small, toward improving their communities, crossing racial boundaries, beating back the plague of violence and dangerous behavior that sometimes threaten to overwhelm, and moving ahead toward knowledge, understanding, and achievement.

There are young people out there, children and teenagers, who are doing their part to create and preserve a safe and successful future for themselves. They deserve our recognition and support. That is why this year, for the fifth consecutive year, I am introducing a bill to remember these children by celebrating them with National Children's Day 1994 on October 9, the second Sunday of October.

National Children's Day is a time to honor America's young people, celebrate their many triumphs, listen to their hopes and concerns, and reflect for a moment on the world they are living in and the world we are leaving them.

By establishing a National Children's Day, we will set aside 1 day a year, in the tradition of Mother's Day and Father's Day, on which we can honor our children. During this day all children will be held up for recognition because of their contributions to their family and their community and because we, as a nation, recognize that they are our greatest natural resource. Americans everywhere can take this day to spend time with their children. Those who don't have children of their own can go to a park or take a bike ride with a neighbor's kid, or a nephew or niece.

This is also a day for communities and cities and States to recognize the accomplishments

of children. It is a time for us to take a closer look at how children are living in America.

I recently learned of a tale of hope—evidence of the genuine good being achieved right now by our youth—that I want to share. A young girl from San Antonio, TX was a gang member by age 13 and rose to leadership within the gang war community. But the constant violence and destruction drove her from being a gang leader to becoming a leader in her community, advocating peace and working actively through the gang peace summits to help people across the country understand urban hardships and the hope to overcome them. And she is not alone among American youth who are trying to protect their future.

The ultimate goal of National Children's Day is to encourage celebratory activities in every community across the country. State and municipal governments, school groups, youth groups and national organizations like the Child Welfare League of America, the National Parent-Teacher Association, the 4-H clubs, and boys and girls clubs are planning and participating in events to celebrate this day. We commemorate National Children's Day in the hope that every city and town will find its own way to honor its young people.

America's youth look to us for leadership and strength, look to us for welcoming, look to us for support. To turn away from America's children, to give up hope on America's children is to turn our backs on America's future. Please show your support by voting to continue to celebrate our children with National Children's Day 1994.

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 389

Whereas the people of the United States should celebrate children as the most valuable asset of the Nation;

Whereas children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should be allowed to feel that their ideas and dreams will be respected because adults in the United States take time to listen;

Whereas many children of the United States face crises of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas encouragement should be given to families to set aside a special time for all family members to engage together in family activities;

Whereas adults in the United States should have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety and to contribute to their communities;

Whereas the designation of a day to commemorate the children of the Nation will emphasize to the people of the United States the importance of the role of the child within the family and society;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities; and

Whereas children are the responsibility of all Americans, thus everyone should celebrate the children of the United States, whose questions, laughter, and tears are important to the existence of the United States: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second Sunday in October of 1994 is designated as "National Children's Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PARENTS' DAY

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 398) to establish the fourth Sunday of July as "Parents' Day."

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. FLAKE. Mr. Speaker, I rise today to ask my colleagues to support National Parents' Day. I want to commend Representative BURTON for ensuring that this important legislation received its deserved recognition before the 103d Congress adjourned. Representative BURTON and I worked very hard this year to make Parents' Day 1994 a success. I thank many of my colleagues for their contributions to this effort.

I thank all of you who cosponsored the current legislation to establish National Parents' Day as an annual event. We are well on our way to annually honoring parents, whether they are biological or perhaps someone who took time out to care for those who will be our future. These people exist within your districts and mine, it is only appropriate that we honor them 1 day a year for all the good work they do 365 days a year.

National Parents' Day will commemorate parents and volunteers every year for their hard work and sacrifices made for both their own children, and other children in need. These people build the foundation for our children and it is up to us to let them know that their efforts are not in vain.

Mr. PORTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 398

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fourth Sunday of every July shall be established as "Parents' Day" to be recognized as a recurring, perennial day of commemoration.

#### SEC. 2. RECOGNITION.

All private citizens, organizations, and governmental and legislative bodies at the local, State, and Federal level are encouraged to recognize Parents' Day through proclamations, activities, and educational efforts in furtherance of recognizing, uplifting, and supporting the role of parents in the rearing of their children.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### NATIONAL PENNY CHARITY WEEK

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 415) designating the week beginning October 16, 1994, as "National Penny Charity Week."

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. PORTER. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I rise in strong support of H.J. Res. 415. Mr. Speaker, there are 170 billion pennies in jars, dresser drawers, and piggy banks all across this country. They are not being spent. They are not being carried by individuals. They are being deposited there every night because the lowly penny has not much purchasing power in the minds of the American people.

Mr. Speaker, our mint will spend \$164 million this year to produce new pennies because of Americans hoarding them. One evening I thought, as I was depositing the pennies from my pocket into the jar in my room, that if everyone would donate their hoarded pennies to their favorite charity, charities would have \$1.7 billion more to spend on worthwhile causes. In addition, the demand on the U.S. Mint to produce additional pennies would be reduced, and people would have tax deductions that they would otherwise not have.



Mr. Speaker, the Penny Lovers of America is a not-for-profit organization that promotes character, scholarship, and patriotism among America's youth by collecting penny donations to finance our young people's educational pursuits. To celebrate their 10th anniversary they are conducting a penny recycling campaign.

Mr. Speaker, this resolution would mesh very closely with their work. It designates the week of October 16, 1994, as "National Penny Charity Week." It urges Americans to empty their jars, dresser drawers, and piggy banks, and to give their pennies to their favorite charities, especially to direct service charities, to help the needy and the poor in our country.

Mr. Speaker, I am very pleased that the gentleman from Missouri, BILL CLAY, and the gentleman from Indiana, JOHN MYERS, the chairman and ranking member, respectively, of the Committee on Post Office and Civil Service, are cosponsors with me on this resolution, together with 200 other Members of the House. I commend the resolution to all Members.

Mr. Speaker, the individual penny, it is true, cannot buy much any more. However, combined with others, millions of others, it can do a lot of good for a lot of people. Mr. Speaker, I would urge all Americans to participate in this campaign, give their pennies to charities during the week of October 16 through October 22. It will mean a great deal to all of us in this country.

□ 1610

Mr. PORTER. Mr. Speaker, continuing my reservation of objection, I commend the gentlewoman from Maryland for her great leadership on both the issue of breast cancer and certainly on population and development as well, and for her excellent statement on both of those resolutions.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 415

Whereas 170 billion pennies—\$1.7 billion—are circulating in the economy;

Whereas financial institutions, merchants, and retail establishments are reporting a shortage of pennies;

Whereas this shortage is a result of American people hoarding their pennies;

Whereas, during fiscal year 1994, the United States Mint will spend \$1.64 million to produce 13.3 billion pennies in order to counter the effect of hoarding;

Whereas donating hoarded pennies to charities provides the charities with funds, diminishes the shortage of pennies, lowers the demand on the United States Mint to produce additional pennies, and ultimately saves the United States Treasury money;

Whereas Penny Lover's of America is a not-for-profit charitable organization that seeks to promote character, scholarship, and patriotism among America's youth by collecting penny donations to finance their educational pursuits;

Whereas Penny Lover's of America is celebrating its 10th anniversary this year by conducting a penny recycling campaign; and

Whereas "National Penny Charity Week" coincides with Penny Lover's of America's "National Penny Campaign Recycling Project" both of which will assist in alleviating the penny shortage and raise funds for charitable and community causes: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of October 16, 1994, as "National Penny Charity Week" and to call on the people of the United States to observe such week with appropriate ceremonies and activities, including the donation of pennies to charities, particularly to those which provide direct services to the Nation's underprivileged and disadvantaged population, and to worthy community causes.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the several joint resolutions just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

#### ADJOURNMENT TO MONDAY, OCTOBER 3, 1994

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

#### AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, OCTOBER 6, 1994, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING MR. NELSON MANDELA, PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

Mrs. BYRNE. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, October 6, 1994, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting Mr. Nelson Mandela, President of the Republic of South Africa.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

#### DESIGNATION OF THE HONORABLE STENY H. HOYER TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH OCTOBER 3, 1994

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 30, 1994.

I hereby designate the Honorable STENY H. HOYER to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 3, 1994.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

#### DECLARATION OF NATIONAL EMERGENCY CONCERNING NON- PROLIFERATION CONTROLS AND RESTRICTING PARTICIPATION IN WEAPONS PROLIFERATION AC- TIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-319)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act (50 U.S.C. 1703(b)) and section 301 of the National Emergencies Act (50 U.S.C. 1631), I hereby report to the Congress that I have exercised my statutory authority to declare a national emergency and to issue an Executive order, which authorizes and directs the Secretary of Commerce, in consultation with the Secretary of State, to take such actions, including the promulgation of rules, regulations,

and amendments thereto, and to employ such powers granted to the President by the International Emergency Economic Powers Act, as may be necessary to continue to regulate the activities of United States persons in order to prevent their participation in activities, which could contribute to the proliferation of nuclear, chemical, and biological weapons, and the means of their delivery.

These actions are necessary in view of the danger posed to the national security, foreign policy, and economy of the United States by the continued proliferation of nuclear, biological, and chemical weapons, and of the means of delivering such weapons, and in view of the need for more effective controls on activities sustaining such proliferation. In the absence of these actions, the participation of United States persons in activities contrary to U.S. non-proliferation objectives and policies, and which may not be adequately controlled, could take place without effective control, posing an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

The countries and regions affected by this action would include those currently identified in Supplements to Part 778 of Title 15 of the Code of Federal Regulations, concerning non-proliferation controls, as well as such other countries as may be of concern from time to time due to their involvement in the proliferation of weapons of mass destruction, or due to the risk of their being points of diversion to proliferation activities.

It is my intention to review the appropriateness of proposing legislation to provide standing authority for these controls, and thereafter to terminate the Executive order.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 29, 1994.

# CONTINUATION OF EMERGENCY WITH RESPECT TO HAITI—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-320)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this pro-

vision, I have sent the enclosed notice, stating that the Haitian emergency is to continue in effect beyond October 4, 1994, to the Federal Register for publication.

Resolution of the crisis between the United States and Haiti is in sight as a result of the September 18 agreement reached in Port-au-Prince by the delegation led by former President Carter. Pursuant to that agreement I have announced that all unilateral United States sanctions against Haiti will be suspended with the exception of the blocking of the assets of any persons subject to the blocking provisions of Executive Orders Nos. 12775, 12779, 12853, 12872, or 12914 and Haitian citizens who are members of the immediate family of any such person as identified by the Secretary of the Treasury.

At the same time, the United Nations Security Council, with our support, has decided that the sanctions established in Resolutions 841 and 917 should remain in force, consistent with the provisions of Resolutions 917 and 940, until the military leaders in Haiti relinquish power and President Aristide returns to Haiti. That may well not occur before October 4, 1994. Therefore, I have determined that it is necessary to retain the authority to apply economic sanctions to ensure the restoration and security of the democratically elected Government of Haiti.

While the UN Security Council sanctions remain in force and in order to enable the multinational forces to carry out their mission and to promote the betterment of the Haitian people in the interval until President Aristide's return, I have directed that steps be taken in accordance with Resolutions 917 and 940 to permit supplies and services to flow to Haiti to restore health care, water and electrical services, to provide construction materials for humanitarian programs, and to allow the shipment of communications, agricultural, and educational materials. This will allow the Haitian people to begin the process of reconciliation and rebuilding without delay.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 30, 1994.

# COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Public Works and Transportation, which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,

Washington, DC, September 28, 1994.

Hon. THOMAS S. FOLEY,  
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, I

am transmitting herewith the resolutions (originals plus one copy) approved today by the Committee on Public Works and Transportation.

Sincerely yours,

NORMAN Y. MINETA,  
Chairman.

There was no objection.

□ 1620

# SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GUTIERREZ). Under the Speaker's announced policy of February 11, 1994, June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

# INCREASING CONCERN WITH STRUCTURED NOTES IN BANKING INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, at the time I was elected chairman of the Committee on Banking, Finance and Urban Affairs on the first occasion, which was January 1989, I came to the well and promised to keep the Members of the House informed on questions then agitating the minds not only of the Congress but of the whole country, and I did, and subsequent to that I have attempted to.

Today I rise in pursuance of that commitment in order to initiate what I hope to terminate next week, if we do adjourn a week from Friday sine die, in order to render an accounting in one of the most effective and yet very substantial issues that have been confronted by the Committee on Banking, Finance and Urban Affairs of the U.S. House of Representatives.

Today I want to report letters I have written first to the Honorable Alan Greenspan, chairman of the Federal Reserve Board. The reason for that is because I have expressed grave concern for several years, but particularly during the last 2 years, at the amount of risk involving our insured depository institutions such as commercial banks, credit unions, and savings and loans, and also putting at risk, tremendous risk to the taxpayer in the ongoing what is in our opinion and in simple words nothing less than gambling and high-risk ventures in high volume and in such global terms that it defeats ability to explain fully in any program such as this.

But in my letter to Chairman Greenspan I said I have become increasingly concerned about the use of structured notes. There is always a very, very great knack on the part of these enterprising risk-takers to coin words, create terminology, a jargon. Structured notes is a fancy word for another form



of what today is agitating and causing great concern and great loss to such things as political entities, Charles County in Maryland, a junior college in Texas, a county in Minnesota, and others where they have placed tax funds and revenue funds in the hands of these gamblers and have lost everything and find it difficult to meet the obligations of their political dependencies. This so-called structured note is just one form in which I fear the commercial banks and the savings and loans and others are exposing to great risk.

So I continue and say I believe that the price volatility and the illiquidity of the many types of these derivatives, because that is what they are, call them structured notes or whatever, but they are so-called derivative, and I have called this global tremendous thing that denies even explanation and even my colleagues on the Banking Committee do not grasp the volume. I have been trying to explain that even as I am speaking here right now today, what they use as terminology, "a nanosecond," which means the speed of light, you may have not billions but trillions of dollars being transferred electronically, megabytes. But what kind of money is that? It totals now even, according to the Wall Street Journal, this unbelievable \$38 trillion, and it is gambling. It is not in order to carry on the world's commerce, or purchase of goods, manufacture of goods or trade. It is gambling on such things as currency rate fluctuations, the value of the dollar, which incidentally ought to be our biggest concern because it is approaching a dangerous point where it could be debauched. What we have today compared to the baseline year of 1970 is a 10-cent dollar. This is why our constituents cannot explain why their dollars that they find it hard to earn nowadays cannot buy as much as they used to, and as I have constantly reminded the big panjandrums that govern these big things, the Chairman of the Federal Reserve, the big commercial bankers, groceries are costing more, utilities cost more, rent costs more. Where is inflation controlled?

In this gambling, which I am attracting the interest and I hope the attention of the leading regulators, beginning with the Federal Reserve Board, I am hopeful they will do something, at least something about it.

Mr. Speaker, I include for the RECORD the letters I previously referred to, as follows:

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON BANKING, FINANCE,  
AND URBAN AFFAIRS,

Washington, DC, September 27, 1994.

Hon. ALAN GREENSPAN,  
Chairman, Board of Governors of the Federal  
Reserve System, Washington, DC.

DEAR CHAIRMAN GREENSPAN: I have become increasingly concerned about the use of structured notes by insured depository institutions. Although most structured notes are

issued by Government Sponsored Enterprises and other reputable institutions, I believe that the price volatility and illiquidity of many types of these derivatives present significant risks to the banks that have purchased them and, by extension, to the Bank Insurance Fund.

The cash flow characteristics of structured notes often depend on the performance of one or more indices, such as interest rates, prepayment rates, commodity prices, etc. According to a recent Federal Deposit Insurance Corporation memorandum to its regional directors, these cash flows "can be variable in the timing and amount of cash received by the investor throughout the life of the security, making the evaluation of cash flows and risks of these securities a difficult process." Given these difficulties, I want to ensure that banks which purchase structured notes are capable of managing the risks they pose.

To assist the Committee, please provide an overview of the Federal Reserve's experience in regulating bank transactions in structured notes. This should include the steps you are taking to ensure that structured notes transactions are consistent with safe and sound banking practices. I also request an estimate of the losses caused by structured notes at the banks the Federal Reserve regulates.

Thank you in advance for your cooperation and attention to this request.

With best wishes.

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

COMMITTEE ON BANKING, FINANCE  
AND URBAN AFFAIRS,

Washington, DC, September 28, 1994.

Hon. ANDREW C. HOVE, Jr.,  
Acting Chairman, Federal Deposit Insurance  
Corporation, Washington, DC.

DEAR CHAIRMAN HOVE: I have become increasingly concerned about the use of structured notes by insured depository institutions. Although most structured notes are issued by Government Sponsored Enterprises and other reputable institutions, I believe that the price volatility and illiquidity of many types of these derivatives present significant risks to the banks that have purchased them and, by extension, to the insurance funds.

The cash flow characteristics of structured notes often depend on the performance of one or more indices, such as interest rates, prepayment rates, commodity prices, etc. According to a recent memorandum issued by your agency, these cash flows "can be variable in the timing and amount of cash received by the investor throughout the life of the security, making the evaluation of cash flows and risks of these securities a difficult process." Given these difficulties, I want to ensure that banks which purchase structured notes are capable of managing the risks they pose.

To assist the Committee, please provide an overview of the Federal Deposit Insurance Corporation's (FDIC) experience in regulating bank transactions in structured notes. This should include the steps you are taking to ensure that structured notes transactions are consistent with safe and sound banking practices. I also request that you provide the Committee with information on the number of FDIC-regulated banks that have incurred losses caused by structured notes, as well as the amount of the loss at each institution.

Thank you in advance for your cooperation and attention to this request.

With best wishes.

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

COMMITTEE ON BANKING, FINANCE  
AND URBAN AFFAIRS,

Washington, DC, September 28, 1994.

Mr. JONATHAN FIECHTER,  
Acting Director, Office of Thrift Supervision,  
Washington, DC.

DEAR DIRECTOR FIECHTER: I have become increasingly concerned about the use of structured notes by insured depository institutions. Although most structured notes are issued by Government Sponsored Enterprises and other reputable institutions, I believe that the price volatility and illiquidity of many types of these derivatives present significant risks to the thrifts that have purchased them and, by extension, to the Savings Association Insurance Fund.

The cash flow characteristics of structured notes often depend on the performance of one or more indices, such as interest rates, prepayment rates, commodity prices, etc. According to a recent Federal Deposit Insurance Corporation memorandum to its regional directors, these cash flows "can be variable in the timing and amount of cash received by the investor throughout the life of the security, making the evaluation of cash flows and risks of these securities a difficult process." Given these difficulties, I want to ensure that thrifts which purchase structured notes are capable of managing the risks they pose.

To assist the Committee, please provide an overview of the Office of Thrift Supervision's (OTS) experience in regulating thrift transactions in structured notes. This should include the steps you are taking to ensure that structured notes transactions are consistent with safe and sound practices. I also request that you provide the Committee with information on the number of thrifts that have incurred losses caused by structured notes, as well as the amount of the loss at each institution.

Thank you in advance for your cooperation and attention to this request.

With best wishes.

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

COMMITTEE ON BANKING, FINANCE  
AND URBAN AFFAIRS,

Washington, DC, September 28, 1994.

Hon. EUGENE A. LUDWIG,  
Comptroller of the Currency, Washington, DC.

DEAR COMPTROLLER LUDWIG: I have become increasingly concerned about the use of structured notes by insured depository institutions. Although most structured notes are issued by Government Sponsored Enterprises and other reputable institutions, I believe that the price volatility and illiquidity of many types of these derivatives present significant risks to the banks that have purchased them and, by extension, to the Bank Insurance Fund.

The cash flow characteristics of structured notes often depend on the performance of one or more indices, such as interest rates, prepayment rates, commodity prices, etc. According to a recent Federal Deposit Insurance Corporation memorandum to its regional directors, these cash flows "can be variable in the timing and amount of cash received by the investor throughout the life of the security, making the evaluation of cash flows and risks of these securities a difficult process." Given these difficulties, I

want to ensure that banks which purchase structured notes are capable of managing the risks they pose.

To assist the Committee, please provide an overview of the Office of the Comptroller of the Currency's (OCC) experience in regulating bank transactions in structured notes. This should include the steps you are taking to ensure that structured notes transactions are consistent with safe and sound banking practices. I also request that you provide the Committee with information on the number of OCC-regulated banks that have incurred losses caused by structured notes, as well as the amount of the loss at each institution.

Thank you in advance for your cooperation and attention to this request.

With best wishes.

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

### WE CANNOT ESCAPE HISTORY

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the minority leader.

TRIBUTE TO OFFICER FLOYD HENSLEY ON HIS RETIREMENT

Mr. DORNAN. Mr. Speaker, first of all, some important business about one of our excellent staffers around here on the uniformed side. One of our great Capitol Hill police officers, Floyd Hensley, is retiring after 25 years of service. He always seemed to pull the tougher shift in my memory, always at the majority or Speaker's side door, coming in here early in the morning, very early in the morning he was often heard to say, "Is it 3 o'clock yet?" That was his break time. And some of the good folks around here would say, "Floyd, it is 3 o'clock." Now he can go play golf during his well-deserved retirement.

After 25½ loyal and hard-working years I hope Floyd finds a second career, if that is what he wants. If not, may he break his own golf score every time until he hits that magical score of 18 eagles, 18 on the score card. Nobody has ever done that.

Mr. Speaker, yesterday three of us shared three 5-minute special orders on Haiti. If I had to pick a title for my remarks this afternoon, and this is the end of our next-to-last week, next week is the last. I believe if we are in on Saturday it will be a 50-50 chance that we probably will be out about the time the roosters are crowing on the 8th. I think there is a good chance we will be out on the 7th, particularly if we do not debate the GATT bill, which I do not think we should, because now it appears to be on too fast a track. The Senate is definitely not going to take it up, so they are going to come back in a lame duck session when there may be many defeated Members from that chamber, and there is state of high dudgeon, and a state of what the Germans call angst, the Republicans will

be picking their leadership for the new session in the Senate for, if there is mercy, a new rotating leadership. It is all up to the voters on November 8. But I believe that that lame duck session for the Senate has about as much chance of conducting any business as a snowball in hell. Therefore, what is the point of our taking hours and hours of contentious debate on a very important trade treaty, series of treaties, very complicated, when the Senate is not going to do anything, and it is going to have to be done all over again with a Congress composed of a totally different makeup, men and women from all of our 50 States.

□ 1630

So I would hope we would not do GATT. If we do not, we are out of here on Friday, 1 week from today, or this evening.

If I had to put a title on my remarks this evening, Mr. Speaker, I would quote Abe Lincoln and simply say, "We cannot escape history," and the current events of every day of our lives are creating history to be studied by young men and women in the future, and not just the young men and women of this country, but educated people all over the world.

This day, September 30, has brought about terrible rioting and looting in Haiti. It was supposed to be a day of parades and celebration, because it was 3 years ago today that a self-excommunicated and prior to that suspended by the Salesians of Don Bosco, priest was deposed, and only days before in a very ugly speech given in French, describing burning people to death in the slow manner as chic that is both the same obviously in French or in English, chic, and then French words for pretty, wonderful, he admired the smell of burning flesh.

Within minutes, within the hour, one of the presidential candidates from a prior election that John-Bertrand Aristide had defeated, Mr. Silvio, or in Haiti they say Monsieur Silvio Claude; he was captured by a crowd as Aristide had suggested be done to Aristide's enemies. He was almost beaten to death, then lynched, and then when they found the gasoline they were looking for, they attempted to burn him alive. Instead they burned his corpse. Every human rights group worthy of the name in Haiti or in the Caribbean says that Aristide was responsible for that death.

In my Catholic training there were three things required for a mortal sin capable of destroying your soul for eternity unless you were sorry. It was a grievous matter to bring about the death, let alone the torture death, of a fellow citizen, a fellow human being, a fellow politician, a candidate you defeated is certainly a grievous matter, and the other two theologians talk about for centuries, sufficient reflection and full consent of the will.

An ordained Catholic priest under the order of Melchizedek, certainly in every case that I know of, at least in this country and this hemisphere, is a college graduate, and Mr. Aristide is a man of many letters, and that would indicate sufficient reflection and full consent of the will of this ordained Catholic priest. That is just one among many, I use the word "sins," of Jean-Bertrand Aristide, such as inciting a mob to burn down the papal nuncio's house, the Pope's representative in the majority Catholic nation of Haiti.

Last month I said, and I have said this on the floor twice, he fingered for mob vengeance every bishop in Haiti because every bishop in Haiti signed a letter, intellectually written, responding to the U.N. mandate to invade Haiti, the only mandate that Clinton looked for. He did not care about the elected Representatives of this Chamber or the United States Senate. But when the United Nations said, "Go for it, Bill Clinton," the bishops in Haiti said, "Do not invade our country. Violence is not the answer to resolve the violence that is before us," and Aristide said, "These men, the bishops, are as equally criminal as the men who overthrew me in the illegal coup," September 30, 1991, 3 years ago this very day. So the rioting goes on now.

I do not want to lose any of my electronic audience on C-SPAN, Mr. Speaker, but I just came from a television set looking at a film scene of rioting and looting in Port-au-Prince with no American troops in sight. I think that may be merciful, because the vengeance could have gone either way.

The cameramen reached the zenith of reportorial courage. One cameraman was filming another cameraman being beaten, because a man about to be beaten to death was hiding behind him, and they were clubbing him over and around the cameraman, and a cameraman is the easiest target to blindside in the world in any situation, because that big, heavy camera is on his shoulder, looking through that lens, concentrating on a narrow vision, and all of a sudden blood splatters on the lens of the CNN camera shooting. I have never seen that in my life. Then the blood begins to drool down the left side of your television screen. It is a dimensional problem like when you see water on a lens, it is right in your face up close, and you are seeing the action through the draining blood, and you see a man being dragged with a knife held right at his throat. He is obviously very submissive with the dagger at his throat, then you see more beating and pounding, and then it says what you see being looted is a cash and carry store, no cash, plenty of carrying, and it was a sad sight, and I will leave this Chamber, go right to the CNN news and see again, as I do every day, have any American men or women



been asked by President Clinton to trade their young lives for this worse than flawed excuse for a deposed president.

Because I believe he brought it on himself. And I make no case for the thugs that overthrew him or the Tonton Macoutes, so-called *attache* style of torture and abuse that the God-loved dirt-poor people of Haiti have suffered.

Today is a tough day in history. Lincoln was right, we cannot escape it. Today in 1938, and I did an hour special order on the 50th anniversary back in 1988, smart, smart politicians in Britain, France, and evil politicians in Italy and Germany, ended their Munich conference, disgraceful conference. Yesterday was when Chamberlain, Neville Chamberlain, said, "Peace in our time." Today he took off in a Lockheed aircraft for Heston Airfield outside of London, now just a housing project. I looked for the site once, tried to find just a maker that said, "Here is where Chamberlain landed September 30 and said, 'Peace in our time.'"

What a terrible conference that was in Munich. It approved of the Nazi annexation of Czechoslovakia, Sudetenland. What was the result, Mr. Speaker? Fifty-five million people dead, more women and children and elderly people than men and women in uniform. What a tragedy.

And then communism prevails on one side of that world conflict and continues to kill and torture for almost three-quarters of a century, ending finally when the Berlin Wall came down on my son's birthday, November 9, 1989.

Today, this very day, 1777, this Congress was fleeing. We then met up in Philadelphia. British offensive military pressure caused the Congress to withdraw. We do not even think about things like that in this Chamber today, everybody running for their horse, trying to reach their wives and families, and communication no different than it had been for tens of thousands of years, and the Congress was withdrawn to York, PA.

First atomic-powered submarine, the *Nautilus*, was commissioned at Groton, CT; Babe Ruth hit his 60th homer, breaking his own record today; Jimmy Dean dead in a sports car only at age 24 in Cholame, CA; a young black, African-American student James Meredith succeeded on his fourth try getting into the University of Mississippi.

And then World War II. Mr. Speaker, I have said many times on this floor that I am stunned that we have gone through all of 1942, 1943, 1944, the 50th anniversaries; of all of those years, not a word by anybody, not a word by anybody except the gentleman from Mississippi [Mr. MONTGOMERY], a reserve National Guard general, not a word about the cataclysmic battles in the Pacific.

Today, 1944, September 30, the military in the Pacific declared the Battle

of the Palau Islands, particularly the battle of the island of Peleliu, at an end. It was not so. The military was not trying to deceive, but they meant the issue was no longer in doubt. We controlled the island. But for 58 days our young Marines and one of our Army infantry divisions continued fighting in among all of these jagged volcanic rocks of Mount Umurgrobo, as many deaths as Iwo Jima, but a name lost in the pages of history.

□ 1640

The French units were having some success, small French units; 117 days after Normandy. And the beautiful French port city of Calais finally surrendered to Canadian divisions 117 days after Normandy. That battle was still continuing all along the French coast. And deep within, for the first time American and German tanks met in even numbers, and we prevailed with the inferior but reliable Sherman tank.

In a beautiful French forest that I visited once, if you went there today you would have no idea that 50 years ago today a terrible tank battle with great loss of life on both sides was fought to recapture the land, after we had been expelled from capturing it once from the German tank forces in the Gremlencey forest.

If anybody wonders, Mr. Speaker, why I sometimes spell these tough words, it saves the reporters from chasing me down afterward because they like to get it right too.

So this is one of these days in history. As we stand here, sit here, record here, listen here on September 30, to the rioting going on in Port-au-Prince, putting our men and women in danger from all sides and recall what we brought out on this floor last night, that there are only 24 people in the so-called multinational force and they are all safely in one of the headquarters buildings in Port-au-Prince.

Here is what the Washington Times writes as an editorial on the No. 2 man at the State Department, Strobe Talbott, the man who let Clinton sleep on the floor of his digs in Oxford, England. Mr. Talbott, writing in *Time* magazine, April 6, 1992, which is in today's RECORD that I put in last night, he himself was not proud of having chanted, "Hey, hey, LBJ, how many babies did you kill today?" Our No. 2 man at the State Department said he chanted that on the streets of a foreign country and in this country, and he is not proud of it.

But now he is the man who is the principal architect of this "tar pit" disaster that we are in in Haiti. Mr. Talbott is now in an absolute nose-to-nose shootout with Dante Caputo, who quit as one of our highest American representatives at the United Nations because of the dialog that went on in the spring and summer between him and representatives of the Clinton

White House, particularly Mr. Talbott. I will tell you, the hottest desired item on talk shows right now is—the most sought-after guest, is Mr. Dante Caputo. And he is going to be the most sought-after person on this Hill for a rush to have some hearings next week to see who is the foul liar, to find out the truth, whether it is Strobe Talbott or Dante Caputo who is twisting the conversations that went on with Mr. Talbott and Mr. Boutros Boutros-Ghali.

Here is what the editorial in the Washington Times says:

Say what, Mr. Talbott?

And it goes on,

As Senate and House committees debate and vote on Haiti doing after the fact what the Democratic leadership made sure they could not do before United States troops landed on Haitian shores, the question of how we got there in the first place remains of enduring interest.

Particularly intriguing is the question of the extent to which the invasion or the occupation, as it has turned out, of Haiti has been based on domestic political considerations. The official administration line has been that the President expects no boost in popularity.

He will not get one.

Was that always the case? Or maybe rather is that really the case? That was the subject of the line of questions posed to Deputy Secretary of State Strobe Talbott by Representative Chris Smith, New Jersey, during House Foreign Affairs Committee hearings Tuesday.

The next day, because of the toughness of CHRIS SMITH's questioning, Mr. Talbott stiffed those of us on the Committee on Armed Services who had every bit as much interest in Haiti, because the Foreign Affairs Committee has jurisdiction over the general foreign policy of this country and they also have concern for our fighting men and women. But the Armed Services Committee has additional committee responsibility in addition to our constitutional oath that a whole new Congress will take in this Chamber on the first Monday of January, and that is the welfare of our young people in a hot combat, riots, or civil war situation. And he stiffed us.

I stared at the sign "Strobe Talbott" all morning long yesterday. He did not show up and sent no underling or representative. Just nobody from the State Department.

John Deutch, No. 2 at Defense, doing a good job, and General Sheehan, the military planner for Haiti, also doing a good job, were both there although General Sheehan, 3-star Marine general, shocked my socks off when he told me that he had never heard that the father of a Medal of Honor winner killed in Mogadishu 1 year ago this coming Monday, the father of Randall Shugart, had never heard that the father of Sergeant Shugart refused to shake Clinton's hand in the White House posthumous Medal of Honor

awarding ceremony. I cannot believe that anybody in the military had not heard that story after the national radio coverage it received and at least was printed in newsletters and the Washington Times, thanks to columnist, Reicard Grennier, who had seen it on the front page of a British paper, which is where I saw it when I went over for the 50th anniversary of the D-day invasion.

The editorial continues:

Chris Smith, boring in: Mr. Smith's questions were based on a series of memos and minutes of May meetings at the United Nations involving U.N. Haiti representative Dante Caputo, Secretary General Boutros Boutros-Ghali, and Canadian officials. The existence of the memos was first reported in the Washington Times in June, and their substance relates to conversations between Caputo, who withdrew from his post in protest as American troops landed in Haiti.

So he has only been out there in the private sector for a few days, "and Mr. Talbott himself."

That is who the conversation was between.

What about these memos, Mr. Smith asked. On May 13 foreign minister of Canada commented at a meeting with U.N. Representatives in Ottawa concerning the United States's position such as laid out by Strobe Talbott, Dante Caputo, since the time is short and the situation today cannot last beyond July.

The building political pressure domestically.

Dante Caputo emphasized that Haiti represents a test case for which the United States has to find a solution before November. Mr. Caputo had at that time spent over 2 weeks with American and Canadian officials, sounding out their views. According to Mr. Talbott, he never mentioned the word November to Mr. Caputo or anyone else.

This is Mr. Talbott at the foreign Affairs meeting Tuesday.

I never discussed with Mr. Caputo or, for that matter, anybody else I was dealing with during that period, November in any context, notably, including in any context having to do with our own domestic politics. But Mr. Caputo, in his own confidential memo dated May 23 to Mr. Boutros Boutros-Ghali, put it this way: "The Americans see in this type of action a chance to show strength after the strong media criticism of the administration, the President's decision-making capability and firmness of leadership in international political matters; believed armed intervention to be politically desirable, U.S. Officials think that 'the current position of public opinion to an armed invasion will change radically once it has taken place.' What is more, the Washington Times observes Mr. Caputo was concerned because he perceived that Americans were quickly foreclosing diplomatic options so that this politically desirable invasion could take place.

Footnote: This is why former President Jimmy Carter said our foreign policy was a disgrace, and he moved in without really being asked and inserted himself into this position with former chief of staff of all of our military, Colin Powell, and the distinguished Senator SAM NUNN, to save

American lives. There were no foreign nationals involved in the invasion at night, as our 82d Airborne, our Rangers, and on Special Forces were prepared to bail out in the night sky over Haiti.

□ 1650

Now—whether or not anyone used the word "November"—it is evident that Mr. Talbott and other State Department officials were concerned about Mr. Clinton's credibility and popularity and that somehow this was related to the November midterm elections. How could that have happened? Whether or not Mr. Talbott made the connection, his purely political concerns were perfectly clear to a number of people, and in any event it is hard to imagine that a conspiracy of Canadian and U.N. diplomats have made this story up. So, Mr. Speaker, there are going to be an awful lot of people trying to pin down Mr. Talbott. He is going to be avoiding Capitol Hill like the bubonic plague that is breaking out in India. He will make every effort to get this House adjourned. I bet he is telling everybody in the White House as a senior FOB, friend of Bill, "Don't bring up GATT, get them out of town, and then the administration will rule the roost."

And this happens with all administrations. When this Chamber and the other Chamber of a hundred breaks up into 535 separate people going home to their States or their congressional districts to seek election, the executive branch, the White House rules, and they will have all of October while the rest of us are campaigning and Mr. Clinton is not, all of November, all of December, with or without a ridiculous Senate lame duck session, and generally, if there is a tidal sea change around here, they will have most of January and February, if the Democrat Party wins, to do whatever they want in Haiti, and I hope that every American is as concerned as I am about the death toll mounting and that we will, as I said, pray for a miracle, and I guess this happens occasionally in dangerous situations. The State of South Carolina pounded the Union fort on April 12, 1861, to begin the Civil War, pounded it from this big, beautiful, massive forth with hundreds of cannons in it, into a pile of rubble, all night and all morning, and not a single Union Soldier died. Miracles can happen in combat.

I had a gentleman write me this week, just reach his letter at about 2 a.m. last night. Charles B. O'Connor, June 19, finally made it to me. Sorry, Mr. O'Connor. He was one of the survivors of one of the greatest naval ships ever to sail, the U.S.S. Franklin, CV-13 in World War II, that during this time, in that Second World War crusade, this ship lovingly called Big Ben took massive damage, the worst damage any of

our carriers took that did not sink, and sailed out of the combat zone to limp back into the Brooklyn Navy Yard. I remember it to this day, all those pictures, some of them taken through the televised wreckage of where the Japanese bombs and flaming airplanes had crashed on its deck. In one horrible incident of combat on that carrier, the U.S.S. *Franklin*, 913, as Charlie O'Connor puts it, very young men died. He belongs to a group called The 704 Club; the survivors, I guess they reduced that number each year as some of these heroes go to their eternal reward. He said:

"Please mention that we have had our 50th reunion in September. We have not forgotten."

And I do not want to embarrass Charlie, who had retired, had a great 40-year career with Westinghouse. He send me the calendar of the reunion year, and I, in the back, noticed there were two Medal of Honor winners, and one of them was a hero of my family, and I remember meeting him, Father Joseph T. O'Callahan, a Jesuit who won the Medal of Honor on the deck of the *Franklin* with explosions all around him, moving from boy to boy, giving them last rites, most of them burnt to death or dying, and many Americans remember this famous picture where Father O'Callahan is in a combat helmet, a Navy all-weather jacket, and he puts his hands together reverently, like an altar boy, after he blessed each dying sailor and officer, and then raises his eyes to heaven; I remember that picture vividly from the closing months of the war. Lieutenant Donald A. Gary and Father O'Callahan saved dozens of men, and fortunately both of these Medal of Honor winner survived the war. I have no idea if they are alive now, but they have gone to heaven. Donald Gary, and Joseph O'Callahan,—tonight I will get out my Medal of Honor book and read every detail of how they won their Medals of Honor.

Now Back to those two Medal of Honor winners in Mogadishu on October 3 last year:

In that 2-page essay, and I have never seen a 2-page essay in Time, except on the fall of Communism, glorifying Gorbachev; in that 2-page essay by Strobe Talbott, and it is in today's RECORD. Anybody can send for it through their Congressman. Give me a break! Write your own Congressman. It is in the RECORD of September 29. Strobe Talbott says that he got out of serving in Vietnam with a—how did he put it—a trick knee, and he said that it did not keep him off the squash courts or the playing fields of Oxford. That is his exact words, and, oh, how he, free from serving, listened to the anguish of Clinton and Frank Aller, who later committed suicide. He committed suicide after the Federal Government pardoned him, and let him go, and said, "We don't need you anyway." Then he



committed suicide because his family had never accepted that he let other young men go in his place.

But Strobe Talbott in that 2-page essay in April 1992 admitted he was a friend of Clinton's for 23 years and then wove a clever, devious story, hoping to put away, with absolute provable misstatements, tried to put away, the triple draft evasion, draft avoidance, of Bill Clinton. This is the man who is now accused of lying by a man who resigns in anger from his U.N. post, Dante Caputo. I am inviting Mr. Caputo—we have got calls out to him now—to come here to a luncheon meeting or Republican committee meeting next week to get to the truth of this.

Now, remember Charlie O'Connor, one of the proud survivors of that day 50 years ago when over 900 young Americans died in an incident as the *Franklin* lifted out of the water with massive explosions; he said that he watches the proceedings of this Chamber, Mr. Speaker, talks about listening to Rush Limbaugh, says, "What is the liberal bunch in Washington doing to our great country," and then he says three words that I had said to my staff last week when I saw the cover of *Time* or *Newsweek* magazine with a 14-year-old boy murdered execution style by the gang members who recruited them into their gang and ordered him to murder an 11-year-old girl. An 11-year-old child dead, her murderer executed at 14, and I turned to my staff, and I said, "Are we doomed?"

And then I read these words a week later in Charlie O'Connor's letter. Congressman, can we reverse the direction in which we are headed? I believe that we have a very poor President, a man unworthy of holding such high office, exactly what Medal of Honor winner, dead hero Randy Shughart's father said to Clinton's face in the East Ballroom May 23. I believe he is a man unworthy of holding such high office. We have no foreign policy. Clinton detests the military, is morally bankrupt, and appears not to be able to tell the truth about anything. And then he said things so rough that I am not going to read them. He said that if we continue on his liberal left path of socialism, I foresee a very bleak future for the United States of America. Please keep up the good fight. You echo our sentiments at every turn. Very truly yours, Charles V. O'Connor, Retired United States Navy.

Charlie, I would tell him, Mr. Speaker, chin up. Get all your friends to vote November 8. Pick the best man or woman that you think is going to keep our country from being doomed, and fight on with the same spirit of Big Ben, the U.S.S. *Franklin*.

Mr. Speaker, I am assembling a lot of photographs from my past because this is my last race for the House. I am living up to my 12-year term limit bill that I put in as a freshman with then Congressman Dan Quayle.

□ 1700

I am going to take a couple of special orders next week. Gosh, I hope I am not talking about Haiti and deaths. I pray that will not happen. Please, God, give us a miracle.

In going through some of the old photograph files, I found pictures of a very young looking BOB DORNAN, 23, the age when Strobe Talbot and Bill Clinton and Frank Aller were organizing demonstrations in foreign countries against their United States, denying them the opportunity to ever be commissioned even as a noncommissioned officer, ever in any of our services, security branches, CIA, FBI, most police departments, certainly not even the Coast Guard, nothing. While they were doing that, I found this picture of myself 23 years of age, that I have never used in a brochure, I am hanging off the side of a F-100 supersonic Saber. It says "Lt. BOB DORNAN" on red wings shaped on the side of the cockpit. I could not believe they let me fly when I looked that young.

And behind that picture, I found a yellow wing, well, it is yellow legal tablet, getting faded, of handwritten notes, not too many corrections, I am proud to say, of my original statement. It says in orange ink up in the corner, faded red, "Written 25 January, 1976, typed at 4 a.m. the night of 25/26." My five young teenagers, all in their thirties now, had gone to bed. My wife was sleeping on the couch in front of me. I remember I had a severe cold.

And I typed this statement, to be read 1 day later on the 27th at the L.A. Press Club. It is five pages. It opens up with the words thank you for coming to the press club in L.A. And I remember I had an expression for when all seven TV stations in L.A., VHS stations, turned out, I called it rolling a 7. I have only done that a few times. I did that the day I declared. I rolled a 7. Channels 2, 4, 5, 7, 9, 11, and 13 were there. I had a short career at three of them.

I read this to my staff. I said, let's read it cold. I don't have any idea what I said. I have not seen this document since I did it. And one of my staffers, Joe Eule, said Congressman, don't do Haiti tomorrow. Read this on the House floor. It is 19 years old this coming January, and what has changed?

So I told him, Mr. Speaker, I would do it. I said I will have to do Haiti too. Pray for that miracle down there. And then I said I will read it.

It starts, I repeat, thank you for coming, ladies and gentlemen of the press. Today I am declaring—I was 42 years of age—today I am declaring my candidacy for the 27th Congressional District of the U.S. House of Representatives. The 27th District is comprised of 15 beach communities, and then I named them all, ending with Ronald Reagan's hometown of Pacific Palisades. I was his Congressman for 6 years.

In our Nation of 215 million people—I am going to try to discipline myself not to interrupt 42-year-old BOB DORNAN. But, Mr. Speaker, there are today 261,602,000 Americans, 41 million more American citizens, and about 10 million illegal people living in our country, and we take care of them pretty good, access to most of our services, 41 million more since I first declared for Congress a year before I was sworn in. In our Nation of 215 million people, very few citizens ever find themselves in the position to campaign with hope of victory for the honor of representing their fellow Americans. To find myself in the position of a front running candidate, I was running third, Mr. Speaker, I have to be honest. A front running candidate in an open primary election for a district as unique as the 27th is certainly a humbling experience. As with most candidates who have a recognition factor in their favor, I have that advantage because of the unselfish assistance of countless people in the causes we have championed together.

My origination of the POW bracelet, proudly worn at its zenith by 5 million Americans, and my worldwide travels, even to Communist countries with courageous wives and mothers of missing in action servicemen, these efforts were made possible by the patriotic generosity of others funding the trips. The opportunity to lecture and debate for over 16 years across our country, to host issue-oriented radio programs, and to produce my own television shows for over 6 years in Los Angeles, all this was made possible by others. But I have worked extremely hard over the years to justify the faith that people have put in me through their support.

I must also acknowledge with loving gratitude the spiritual and patriotic inheritance entrusted to me by my recently deceased mother and father, two of the greatest Americans I will ever know.

I will win the 27th Congressional District primary on June 8, and carry my lead on to victory in the general election on November 2d.

There were 14 people in both those primaries.

Because the voters of both parties in my district are hungry for a Congressman to represent them who is an outspoken fighter.

Mr. Speaker, that word "outspoken" is twice in here, and it is used against me all the time. I guess I kept my promise over 19 years, didn't I?

An outspoken fighter. A Congressman who will in a sense put them in Washington with a strong voice that can really make a difference, someone who is clear thinking and straightforward. When elected, I will articulate the concerns of those I represent with forcefulness and clarity.

One deep concern that will anger and frustrate all citizens in America is the lack of morality in government, which

naturally results in an absence of leadership. Voters have been betrayed for years by political corruption, waste, absenteeism, laziness, arrogant self-indulgent pay raises.

We were making \$42,000 then. Now it is \$133,600, augmented by constantly expanding fringe benefits. As an outspoken opponent of immorality in all facets of modern life, I will continue to hit hard and often at every attempt to abuse the taxpayers. I will call for a six-term limit for all U.S. Congressmen, and two terms for U.S. Senators. Three additional areas of concern stand out when talking with citizens in my 27th Congressional District. I have found during visits to 42 States in the last 2 years—I was traveling, speaking for a group against child pornography—in the last 2 years, that these same three issues are paramount with the voters nationwide. And then I split the three issues into four.

Americans are devastated by the twin brothers of unemployment and inflation—that is the one thing we have cured in this letter, inflation—that works to destroy our fantastic free enterprise system. Reckless government spending a la New York City creates the vicious hidden tax of inflation, an economic cancer that eats away at the paychecks of all Americans. Government now absorbs 44 percent of our personal income.

We left 50 behind a long time ago, Mr. Speaker.

Next, most Americans insist upon a strong national defense shield.

This is 7 years before SDI or strategic defense. We pray for lasting peace with our adversaries, but détente must be a two-way street. Détente must not become the epitaph scrawled across the coffin of liberty. Her torch of freedom now burns in only 2 dozen or so countries, and that threatened light will quickly be extinguished in each and every remaining democracy if the United States does not, to quote from our preamble, provide for the common defense, and maintain her military strength, both strategic and conventional.

□ 1710

A fourth issue, of particular interest, is that Americans are outraged at the growth of all crime. Nineteen years ago, organized crime, street crime, white collar crime, and the mislabeled so-called victimless crimes, referring to prostitution, and narcotics. The preamble to our great Constitution speaks of establishing justice, ensuring domestic tranquility. We Americans had better start thinking of justice for the victims of crime.

As for domestic tranquility, what a deepening disgrace to have foreign totalitarian regimes, hated by their own people, able to point with scorn at our soaring rates of murder, rape, assault, and drug addiction and then sneer

about the decline of decadent western culture.

Are we an example of freedom or gutless passivity? One year from now, when I take the oath of office as a U.S. Congressman, you have to enter these campaigns with a lot of confidence, the people of the 27th district will have a fighter representing them who has a sense of commitment and a determination second to none.

Today we are defending in an increasingly dangerous world the most delicate and fragile of societies, a Republic. For all of its flaws, the Nation of which we are citizens, is a wonderful country with a truly remarkable history. What a magnificent challenge to defend her and to improve her. We should welcome that challenge with a renewed spirit of '76, now in 1976. Yes, we should ask for God's blessings on our beautiful land, but we should also roll up our sleeves and try to correct the manmade social problems that torment us.

I will start by campaigning vigorously and positively and treating my opponents with respect for their desire to serve. I want to come back to that, Mr. Speaker.

Together, let us lean on our apathetic fellow voters and ask that they inform themselves on the issues, participate in the process, and then use that enlightenment to exercise one of the greatest rights in a free society, the right to choose leaders through the ballot. See you out there in the precincts and at the polls on June 8 and November 2 of our bicentennial year, 1976.

Mr. Speaker, my young opponent—I never laid eyes on him. Younger than all five of my kids who, as I said, were teenagers then, four of the five are now married and they have made me and Sally proud grandparents nine times.

My opponent says that he is determined to make my character the issue in this campaign. He proceeded to tell the press that he was going to run the dirtiest campaign I had ever seen. If I said that, if any Republican said that, we would be properly crucified. I wish they applied the same standard to some challengers in your party.

This young person, who I would not know if I fell over him, has taken money from pornographers. I forced him to give it back. He wants to cut off the home mortgage interest deduction on our IRS 1040 forms. He wants to put a 50 cent gasoline tax on every gallon of gas you and I buy, Mr. Speaker, for the rest of our lives, because we are still paying excise tax on our phones. That was put in to rebuild the USS *Franklin* in World War II, to fight the good fight against Nazism and fascism, and we still have excise tax on our phones. I have never seen a State gasoline tax rolled back. When you put 10 gallons in a tank or if you fill it up with 20, that is \$10 on every tank of gas for the rest of your life.

But what I resent is this boast that he is going to make it a dirty campaign. Let me come back to that with words I wrote in the margin 19 years ago. Get something clear for the LA Times here. I will start by campaigning vigorously and positively and treating my opponents with respect for their desire to serve.

One of the great mythologies built around ROBERT KENNETH DORNAN by the liberal press, Mr. Speaker, is that I fight too tough in campaigns. I gave my young multimillionaire opponent 17 debates in that first campaign. We were both challengers. It was an open seat. No big deal. He stayed clean until 3 weeks out. He got so dirty 3 weeks out, I sued him for millions of dollars. Millions is just for the lawyers. That is all show. But guess what, Mr. Speaker? I am the only Member of this Chamber in all of history, 218 years, no U.S. Senator has ever done this, I refused to drop the suit after I won big. I said I would win with 54.5 percent. I won with 54.7. Pretty good campaigning. I wrote it on a blackboard, morning of the election.

He gave me a \$35,000 cashier's check, tax free, legal damages, of \$35,000. Thomas Jefferson sued somebody, never got a nickel. Bill Buckley sued Gore Vidal, got a dollar and court costs.

Nobody in history has ever sued an opponent and got money. He might have beat me in court. We know what we are supposed to be subjected to out there in the free marketplace. But his father was a good man, owned Familien Pipe and Supply, and he wanted this thing done because it was hurting his father's reputation because the son got dirty in the last few minutes. He was not a bad fellow at that. Had these two Dino Ferraris up on blocks to run for Congress.

Then came Gregory Peck's son. LA Times to this day cheats and lies on my 1978 campaign. Young Peck, Gregory Peck's son, took 13 sequentially numbered money orders on children and dead people from the State of Alabama. I forced him to give them back. I filed against him 2 years later when I found out about it. He had to apologize to the press after a lot of weaseling around and the Times to this day says my charges were false and it was the biggest FEC fine in the history of the FEC up to that point \$30,000. And they never collected a nickel of it from anybody. Although the young man, 28, who gave him the money from Alabama went to prison for a year for stealing a million dollars from California.

My 1980 race, I gave Peck over 15 debates. I was a freshman. Cost me a 51 to 49 percent race. In 1980, Peck came at me with all guns blazing. Filthiest campaign of my life. I never did a thing until I had to fight back and counterpunch. I do have Irish blood.

And I ran a clean campaign against Pete Wilson and became one of his best



speakers after he beat me fair and square. I ran against Tom Bradley. He said it was the cleanest campaign he had ever had. I have run against Sam Yorty in the primary. He made me his number one speaker after he beat me. Ran the college trustees board, predicted I would get 44 percent and got it. I was just in training for the race I won, this 1976 race. Today I am still friends with Gwen Moore, who is still in the California assembly, who beat me. That Familion and that Peck race were rotten, and they started it. I did not match them in kind. I just got tough with the facts. When somebody is dirty and they are being hit with facts, they always call it dirty campaigning. I am the only Congressman here, Mr. Speaker, who represents two totally different seats, the 27th, 38th, and now I am in the 46th.

In my 1984 race, a newspaper did something I have never heard of before or since. They mistakenly, I think honestly, printed the incumbent Congressman's vote and my votes during the 6 years that I served here with him from the Santa Monica district. They printed our votes together and they gave me all of his votes and, worse than that, gave him all of my votes, on abortion, on busing, on all these key issues.

□ 1720

Mr. Speaker, I could not believe my eyes. They said, "We will correct it." They buried the correction on B-12, the second section. I told him he would reprint it as a last-minute mailer. They said never would anybody do so outrageously a foul deed. The sitting 10-year Congressman did just that, created a mailer giving all of my votes to him and attributing all of his liberal votes to me. It nailed him. I won 53 to 42, and he had won 62 just a few years before, in 1982.

Then my 1986 race, Tony Coelho comes out to my district. Years before he left here in disgrace. He questions my military record, when I had been on television in L.A. during the whole Vietnam war. He lied and said I tried to indicate I was a Vietnam vet.

I was a Korean vet, and I was in pilot training when that war ended. I am proud I was a civilian Eisenhower warrior who never had to kill another mother's son. I have said that for years on TV.

But Coelho tried this. The assemblyman was trying to help, Willy Brown's lieutenant, the number three man in the California legislature, he was peculiarly quiet at that press conference. He told everybody for 12 years he was a Marine officer, a fighter pilot, and a helicopter gunship pilot. I said, "Why would he sit there quiet and tell Coelho, 'Don't do that to a fellow officer,' or why wouldn't he participate and be a sleaze along with Coelho?" So I checked his record. He was a private, warehouseman, never flew an airplane,

never flew a helicopter. He has been impersonating an officer for 12 years in the California Assembly. He will never run again. The L.A. Times refused to print it. His roommate called and said he was lying. He got a ride on an F-4 as an enlisted man in El Toro, and he used the photograph for 12 years. They would not print a word of it.

Mr. Speaker, I did not have any race to speak of in 1988 and 1990, and in 1992 I had a primary where \$700,000 of liberal Democrat abortion money came at me in a period of 3 weeks, used by a so-called Republican lady who had been appointed a judge for a couple of years by Jerry Brown; unbelievable.

I responded with tough fighting. No, I passed all my character tests. I lived up to everything, and every promise I made in that five-page, handwritten, with very few corrections, statement for my declaration 19 years ago this January.

Mr. Speaker, I am trying to figure out what 1997 and 1998 holds for me. I am going to continue to be outspoken in this Chamber, Mr. Speaker, as you are outspoken. If I win this election in 38 days, and I think I will, I will be here in Clinton's last 2 years. I will be here to protect the military, to help democracies flourish, to help starving people where we can, but to not squander the lives of young men in dingy alleyways, as those who died in Mogadishu, and then not be able to explain to Gary Gordon's parents or his widow, or Carmen or Herb, Shugart's parents, or have Gordon's little children, Ian and Brittany, when they grow up, unable to understand why a person who three times sent high school people to serve in his place and got his education overseas without going to class and demonstrated against his country can put young men and women in harm's way in Haiti and Mogadishu, and talks about doing it in Bosnia and other places. This is going to be a tough, key election in the history of our country. It is going to be a painful 2 years until we get ourselves a new President.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate of the bill (H.R. 4649) "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 3, 6, 12, 15, 18, 20, 21, and 23, to the above entitled bill.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DORNAN) to revise and extend their remarks and include extraneous material:)

Mr. WELDON, for 5 minutes, today and October 3.

Mr. EHLERS, for 5 minutes each day, on October 3, 4, 5, 6, and 7.

Mr. HORN, for 5 minutes each day, on October 3, 4, 5, 6, and 7.

Mr. DORNAN, for 5 minutes each day, on October 3, 4, 5, 6, and 7.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. WISE, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. FINGERHUT, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PETRI and to include therein extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$2,167.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. SOLOMON.

Mr. THOMAS of California.

Mr. BURTON of Indiana in two instances.

Mr. HORN.

Mr. BILIRAKIS.

Mr. YOUNG of Alaska.

Mr. HEFLEY.

Mr. GALLEGLY.

Mr. DICKEY.

Mr. GOODLING.

Mr. DORNAN.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. MANN.

Mr. REED.

Mr. FARR of California.

Mr. PAYNE of New Jersey.

Mr. BONIOR in two instances.

Mr. FORD of Tennessee.

Mrs. MALONEY.

Mr. STARK.

Mrs. MEEK of Florida.

Mr. MILLER of California.

Mr. MANTON.

Mrs. SCHROEDER.

Mr. SWETT.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. ORTON.

Mr. BONILLA.

Mr. HOYER.

Ms. FURSE.

Mr. KLEIN.

Mr. MENENDEZ.

Mr. TOWNS.  
Mr. KYL.  
Ms. HARMAN.  
Mr. GREENWOOD.  
Mr. WAXMAN.  
Mrs. LLOYD.  
Mrs. BYRNE.

#### ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 995. An act, to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services, and for other purposes.

H.R. 4556. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes.

H.R. 4649. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1587. An act to revise and streamline the acquisition laws of the Federal Government, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On September 29, 1994:

H.R. 4606. An act making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, and for other purposes.

H.R. 4554. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes.

H.R. 4569. An act to extend and make amendments to the President John F. Kennedy Assassination Records Collection Act of 1992.

H.R. 4191. An act to designate the United States Post Office building located at 9630 Estate Thomas in Saint Thomas, Virgin Islands, as the "Aubrey C. Ottley Post Office."

H.R. 4177. An act to designate the United States Post Office building located at 1601 Highway 35 in Middletown, New Jersey, as the "Candace White Post Office."

H.R. 3839. An act to designate the United States Post Office building located at 220 South 40th Avenue in Hattiesburg, Mississippi, as the "Roy M. Wheat Post Office."

#### ADJOURNMENT

Mr. DORNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p.m.), under its previous order the House adjourned until Monday, October 3, 1994, at 10:30 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3887. A letter from the Secretary, Department of Education, transmitting a report entitled, "Second Biennial Report to Congress on Vocational Educational Data in the Department of Education", pursuant to Public Law 101-392, section 407 (104 Stat. 824); to the Committee on Education and Labor.

3888. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting the Secretary's determination and memorandum of justification for assistance to support the U.N. Voluntary Fund for Victims of Torture; to the Committee on Foreign Affairs.

3889. A letter from Secretary of the Interior, transmitting a draft of proposed legislation entitled, "Approving the Location of a Thomas Paine Memorial"; to the Committee on Natural Resources.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4394. A bill to provide for the establishment of mandatory State-operated comprehensive one-call systems to protect natural gas and hazardous liquid pipelines and all other underground facilities from being damaged by any excavations, and for other purposes; with amendments (Rept. 103-765, Pt. 2). Referred to the Committee on the Whole House on the State of the Union.

Mr. MINETA: Committee on Public Works and Transportation H.R. 4704. A bill to provide for conveyance of certain lands and improvements in Hopewell Township, PA, to a nonprofit organization known as the "Beaver County Corporation for Economic Development" to provide a site for economic development; with an amendment (Rept. 103-768). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 2970. A bill to reauthorize the Office of Special Counsel, and for other purposes; with an amendment (Rept. 103-769). Referred to the Committee of the Whole House on the State of the Union.

Mr. MINETA: Committee on Public Works and Transportation H.R. 4460. A bill to provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; with an amendment (Rept. 103-770). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLAY:

H.R. 5139. A bill to amend title 39, United States Code, to provide for procedures under which persons involuntarily separated by the U.S. Postal Service as a result of having been improperly arrested by the Postal Inspection Service on narcotics charges may seek reemployment; to the Committee on Post Office and Civil Service.

By Mr. SKELTON (for himself, Mr. DELLUMS, Mr. KYL, Mrs. SCHROEDER, Ms. HARMAN, Mrs. LLOYD, Mrs. FOWLER, Ms. FURSE, Mr. PICKETT, Mr. LANCASTER, Mr. RAVENEL, Mr. FARR, Mr. BUYER, and Mr. UNDERWOOD):

H.R. 5140. A bill to provide for improved procedures for the enforcement of child support obligations of members of the Armed Forces; to the Committee on Armed Services.

By Mr. WAXMAN (for himself, Mr. DINGELL, Mr. GREENWOOD, Mr. STUDDS, Mr. SHARP, Mr. MARKEY, Mr. SWIFT, Mrs. COLLINS of Illinois, Mr. SYNAR, Mr. WYDEN, Mr. RICHARDSON, Mr. BRYANT, Mr. MANTON, Mr. TOWNS, Mr. KREIDLER, Ms. DELAURO, Mr. DIXON, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. KLECZKA, Mrs. MALONEY, Mr. MEEHAN, Mrs. MORELLA, Mr. NADLER, Mr. OLVER, Mr. PASTOR, Ms. PELOSI, Mr. RANGEL, Mr. SERRANO, and Ms. VELAZQUEZ):

H.R. 5141. A bill to reauthorize the Ryan White CARE Act of 1990, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS of New Jersey:

H.R. 5142. A bill to amend the Agricultural Trade Act of 1978 to establish a condition on the provision of assistance under the export enhancement program for the export of durum wheat; to the Committee on Agriculture.

By Mr. BEREUTER:

H.R. 5143. A bill to amend the Fair Credit Reporting Act to provide for disclosures by consumer reporting agencies to the Federal Bureau of Investigation for counterintelligence purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. EDWARDS of Texas (for himself, Mr. BONILLA, Mr. STENHOLM, Mr. FIELDS of Texas, Mr. PETE GEREN of Texas, Mr. SAM JOHNSON, Mr. SARPALIUS, Mr. ARMEY, Mr. LAUGHLIN, Mr. ROBERTS, Mr. FROST, Mr. SKEEN, Mr. TEJEDA, Mr. YOUNG of Alaska, Mr. BREWSTER, Mr. POMBO, Mr. CONDIT, Mr. BLILEY, Mr. HERGER, Mr. CALLAHAN, Mr. CALVERT, Mr. COLLINS of Georgia, Mr. DICKEY, Mr. DOOLITTLE, Ms. DUNN, Mr. EVERETT, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISTOOK, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS, Ms. MOLINARI, Mr. ROGERS, Mr. ROYCE, Mr. STUMP, and Mr. HUFFINGTON):

H.R. 5144. A bill to amend the Endangered Species Act of 1973 to provide that no species may be determined to be an endangered species or threatened species, and no critical habitat may be designated, until that act is reauthorized; to the Committee on Merchant Marine and Fisheries.

By Mr. GOODLING (for himself, Mr. FAWELL, Mr. BALLENGER, Mr. BOEHNER, Mr. HOEKSTRA, and Mr. MCKEON):



H.R. 5145. A bill to amend section 1977A of the Revised Statutes of the United States to repeal the authority to award punitive damages for violations of title VII of the Civil Rights Act of 1964 and the Americans With Disabilities Act of 1990, for the purposes of equalizing damages between the Congress and the private sector under these laws; jointly, to the Committees on the Judiciary and Education and Labor.

By Mr. HEFLEY:

H.R. 5146. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and Labor.

By Mr. HINCHEY:

H.R. 5147. A bill to amend title XIX of the Social Security Act to lower the maximum Federal medical assistance percentage that may be applied with respect to any State under the Medicaid Program and to increase such percentage with respect to all States under such program; to the Committee on Energy and Commerce.

By Mr. INSLEE:

H.R. 5148. A bill to authorize certain elements of the Yakima River Basin Water Enhancement Project, and for other purposes; to the Committee on Natural Resources.

By Mr. KLEIN:

H.R. 5149. A bill to amend the Community Reinvestment Act of 1977 to enhance the flow of investment capital for low- and moderate-income housing in low- and moderate-income neighborhoods; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LEHMAN:

H.R. 5150. A bill to amend the Federal Water Pollution Control Act concerning the eligibility of officers and employers of State, county, and municipal governments to serve as members of State boards that issue permits for discharges into the navigable waters; to the Committee on Public Works and Transportation.

By Mr. PASTOR:

H.R. 5151. A bill to amend the Fair Labor Standards Act of 1938 to provide for an exemption from the overtime provisions for professional employees of contractors or subcontractors of the Resolution Trust Corporation who are paid on a hourly basis; to the Committee on Education and Labor.

By Mr. REED:

H.R. 5152. A bill to require States to report certain information to the Federal Bureau of Investigation for certain crimes; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 5153. A bill to amend title VIII of the Social Security Act to provide for an open enrollment period under part B of the Medicare Program for individuals formerly covered as retirees under group health plans of local educational agencies; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. MINGE:

H.R. 5154. A bill to amend the Agricultural Act of 1949 to temporarily suspend operation of the precondition on the provision of extended price support loans for corn under the farmer owned reserve program; to the Committee on Agriculture.

By Mr. HASTERT (for himself and Mr. HALL of Ohio):

H.J. Res. 419. Joint resolution designating the week beginning October 23, 1994, as "Center City Church Week"; to the Committee on Post Office and Civil Service.

By Ms. LOWEY:

H.J. Res. 420. Joint resolution to approve the location of a Thomas Paine Memorial; to the Committee on Natural Resources.

By Mr. MURPHY:

H.J. Res. 421. Joint resolution designating the week of November 6, 1994 through No-

vember 12, 1994, "National Health Information Management Week"; to the Committee on Post Office and Civil Service.

By Mr. SCHUMER:

H.J. Res. 422. Joint resolution designating December 1994 as "Goods for Guns Month"; to the Committee on Post Office and Civil Service.

By Mr. YOUNG of Alaska:

H.Con. Res. 300. Concurrent resolution expressing the sense of the Congress regarding the commonwealth option presented in the Puerto Rican plebiscite of November 14, 1993; to the Committee on Natural Resources.

By Mr. ORTON:

H. Con. Res. 301. Concurrent resolution expressing the sense of the Congress regarding entitlements; to the Committee on Government Operations.

By Mr. ANDREWS of New Jersey (for himself and Mr. GILMAN):

H. Con. Res. 302. Concurrent resolution urging the President to promote political stability in Tajikistan through efforts to encourage political resolution of the conflict and respect for human rights and through the provision of humanitarian assistance and, subject to certain conditions, economic assistance; to the Committee on Foreign Affairs.

By Mr. KENNEDY (for himself, Mr. BORSKI, Mr. CONYERS, Mr. COYNE, Mr. DELLUMS, Mr. ENGEL, Mr. EVANS, Mr. FRANK of Massachusetts, Mr. HOKE, Mr. HUGHES, Mr. JEFFERSON, Mr. KING, Mr. KOPETSKI, Ms. LOWEY, Mr. MCDADE, Ms. MCKINNEY, Mr. MANTON, Mr. MARKEY, Mr. MEEHAN, Mr. MILLER of California, Ms. MOLINARI, Mr. MORAN, Mr. OWENS, Mr. PALLONE, Mr. POSHARD, Mr. QUINN, Mr. SANGMEISTER, Mr. SCHUMER, Mr. SERRANO, Mr. SHAYS, Mr. TORKILDSEN, Mr. TOWNS, and Ms. VELAZQUEZ):

H. Con. Res. 303. Concurrent resolution concerning commencement of all-party talks to seek a peaceful resolution to the conflict in Northern Ireland; to the Committee on Foreign Affairs.

By Mr. MILLER of California (for himself, Mr. MARTINEZ, Mr. SCHUMER, Mr. STEARNS, and Mr. WASHINGTON):

H. Res. 557. Resolution commending the Police Athletic League; to the Committee on Education and Labor.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 162: Mr. COYNE, Mr. JACOBS, Mr. COOPER, Mr. HOCHBRUECKNER, Mr. MINGE, Ms. LONG, Mr. LIPINSKI, Mr. REGULA, Mr. COPPERSMITH, Mr. YATES, and Mr. INHOFE.

H.R. 2305: Mr. KYL.

H.R. 2420: Mr. MONTGOMERY and Mr. NADLER.

H.R. 2488: Mr. WYDEN.

H.R. 2727: Mr. RANGEL.

H.R. 3039: Ms. DUNN and Mr. FAWELL.

H.R. 3270: Mr. MANN.

H.R. 3705: Mr. COOPER.

H.R. 3862: Mr. JACOBS.

H.R. 4040: Mr. THOMPSON and Ms. ENGLISH of Arizona.

H.R. 4056: Mr. SKEEN and Mr. NEAL of Massachusetts.

H.R. 4091: Mr. SCHUMER.

H.R. 4142: Mr. TORKILDSEN and Mr. KIM.

H.R. 4394: Ms. FURSE.

H.R. 4514: Mr. MONTGOMERY.

H.R. 4517: Mr. OWENS.

H.R. 4527: Mr. CARR.

H.R. 4699: Mr. NADLER.

H.R. 4758: Mr. ZIMMER and Mr. WELDON.

H.R. 4789: Mrs. MINK of Hawaii and Mr. SHARP.

H.R. 4839: Mr. SCHUMER and Mr. EVANS.

H.R. 4936: Mr. BURTON of Indiana and Mr. LEWIS of Georgia.

H.R. 4938: Mr. FROST.

H.R. 4957: Mr. FILNER.

H.R. 5005: Mr. RICHARDSON, Mr. STARK, and Mr. KLEIN.

H.R. 5062: Mr. SARPALIUS, Mr. SMITH of Iowa, Mr. CALLAHAN, Mr. CALVERT, Ms. KAPTUR, Mr. NEAL of North Carolina, Mr. LIPINSKI, Mr. BUNNING, Mr. ORTON, Mr. LUCAS, Ms. ROYBAL-ALLARD, Mr. QUINN, Mr. BLILEY, Mr. HOUGHTON, Mr. BARRETT of Nebraska, Mr. SMITH of Michigan, Mr. LIVINGSTON, Mr. BARTLETT of Maryland, and Mr. LEVY.

H.R. 5089: Mr. FROST.

H.J. Res. 385: Mr. VENTO, Mr. MANTON, Mr. LEVY, Mr. FAWELL, and Mr. EVANS.

H.J. Res. 389: Ms. SHEPHERD, Mr. GEPHARDT, and Mr. DURBIN.

H.J. Res. 398: Mr. VISCLOSKEY, Mr. WISE, and Mr. ZELIFF.

H.J. Res. 401: Mr. CHAPMAN, Mr. PETE GEREN of Texas, Mr. HOYER, Ms. MOLINARI, Ms. PELOSI, Mr. RAHALL, Mr. TUCKER, and Mr. WATT.

H.J. Res. 403: Ms. LOWEY, Mrs. CLAYTON, Ms. SLAUGHTER, and Mr. BLILEY.

H.J. Res. 405: Mr. BAKER of California, Mr. SKELTON, Ms. DANNER, Mr. GRANDY, Mr. TALENT, Mr. WHEAT, Mr. GUNDERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STENHOLM, Mr. FROST, Mr. SMITH of Oregon, Mr. EDWARDS of Texas, Mr. PICKLE, and Mr. CONDIT.

H.J. Res. 411: Mr. COBLE, Mr. KLEIN, Mr. MURTHA, Mr. SCHIFF, Mr. MCDADE, Ms. DUNN, Mr. OBERSTAR, Mr. POSHARD, Mr. BRYANT, Mr. MONTGOMERY, Mr. SWETT, Mr. SAXTON, Ms. PELOSI, Mr. LEWIS of California, Mr. KING, Mr. BOUCHER, Mr. LAZIO, Mr. SISISKY, Mr. CONDIT, Mr. MCHUGH, Mr. BLILEY, Mr. GORDON, Ms. PRYCE of Ohio, Mr. JACOBS, Mr. SABO, Mr. BERMAN, Mr. GALLEGLY, Mr. MEEHAN, Mrs. FOWLER, Mr. BILBRAY, Mr. DE LA GARZA, Mr. OWENS, Ms. BROWN of Florida, Mr. QUINN, Mr. PETE GEREN of Texas, Mr. FILNER, Mr. MATSUI, Mr. LEWIS of Georgia, Ms. SLAUGHTER, and Mrs. LLOYD.

H.J. Res. 415: Mr. ABERCROMBIE, Mr. ARMEY, Mr. BAKER of California, Mr. BARRETT of Nebraska, Mr. BATEMAN, Mr. BEREUTER, Mr. BEVILL, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONILLA, Mr. BREWSTER, Mr. BROOKS, Mr. BUNNING, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CALLAHAN, Mr. CAMP, Mr. CASTLE, Mr. CHAPMAN, Mr. CLEMENT, Mr. CLINGER, Mr. COBLE, Ms. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. COLLINS of Georgia, Mr. COOPER, Mr. COX, Mr. COYNE, Mr. CRAPO, Mr. CUNNINGHAM, Mr. DEAL, Mr. DELAY, Mr. DELLUMS, Mr. DERRICK, Mr. DIAZ-BALART, Mr. DICKS, Mr. DOOLITTLE, Mr. DORNAN, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mr. DURBIN, Mr. EDWARDS of California, Mr. EHLERS, Mr. EMERSON, Mr. ENGEL, Ms. ESHOO, Mr. EVERETT, Mr. EWING, Mr. FAWELL, Mr. FAZIO, Mrs. FOWLER, Mr. FROST, Mr. GALLEGLY, Mr. GEKAS, Mr. PETE GEREN of Texas, Mr. GIBBONS, Mr. GILCHREST, Mr. GILMAN, Mr. GONZALEZ, Mr. GOODLATTE, Mr. GOODLING, Mr. GRANDY, Mr. GREENWOOD, Mr. GUNDERSON, Mr. HALL of Texas, Mr. HALL of Ohio, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HASTINGS, Mr. HEFNER, Mr. HERGER, Mr. HOAGLAND, Mr. HOBSON, Mr. HOEKSTRA, Mr. HOKE, Mr. HORN, Mr. HOUGHTON, Mr. HUFFINGTON, Mr. HUGHES, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISTOOK, Mr. JACOBS, Mr. JEFFERSON, Mr. SAM JOHNSON, Ms.

EDDIE BERNICE JOHNSON of Texas, Mr. KASICH, Mrs. KENNELLY, Mr. KILDEE, Mr. KIM, Mr. KING, Mr. KLECZKA, Mr. KLUG, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KYL, Mr. LANTOS, Mr. LAZIO, Mr. LEACH, Mr. LEVIN, Mr. LEVY, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LEWIS of Kentucky, Mr. LEWIS of Florida, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mr. LUCAS, Mr. MCCANDLESS, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCKEON, Mr. McMILLAN, Mr. MACHTLEY, Mrs. MALONEY, Mr. MANZULLO, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MAZZOLI, Mrs. MEEK of Florida, Mrs. MEYERS of Kansas, Mr. MICHEL, Mr. MILLER of Florida, Mr. MILLER of California, Mrs. MINK of Hawaii, Ms. MOLINARI, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MOORHEAD, Mrs. MORELLA, Mr. MURPHY, Mr. NADLER, Mr. NEAL of North Carolina, Mr. NUSSLE, Mr. OLIVER, Mr. ORTON, Mr. OXLEY, Mr. PACKARD, Mr. PAXON, Ms. PELOSI, Mr. PENNY, Mr. PETERSON of Florida, Mr. PETRI, Mr. PICKLE, Mr. POMBO, Mr. PORTMAN, Mr. PRICE of North Carolina, Mr. QUILLLEN, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. REGULA, Mr. RIDGE, Mr. ROBERTS, Mr. ROEMER, Mr. ROGERS, Mr. ROHRBACHER, Mr. ROMERO-BARCELO, Mr. ROSE, Mr. ROTH, Mr. ROWLAND, Mr. RUSH, Mr. SANGMEISTER, Mr. SAWYER, Mr. SAXTON, Mr. SCHAEFER, Mr. SCHIFF, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SCOTT, Mr. SERRANO, Mr. SHAYS, Ms. SHEPHERD, Mr. SKAGGS, Mr. SKEEN, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SMITH of Iowa, Mr. SMITH of Michigan, Mr. SMITH of Oregon, Ms.

SNOWE, Mr. SOLOMON, Mr. SPENCE, Mr. STEARNS, Mr. STENHOLM, Mr. STUDDS, Mr. STUMP, Mr. SWETT, Mr. SWIFT, Mr. TALENT, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. THOMAS of California, Mr. TORKILDSEN, Mr. TORRES, Mr. TORRICELLI, Mr. TRAFICANT, Mrs. UNSOELD, Mr. UPTON, Ms. VELAZQUEZ, Mr. VENTO, Mrs. VUCANOVICH, Mr. WALKER, Mr. WALSH, Mr. WATT, Mr. WILSON, Mr. WOLF, Mr. WYDEN, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. ZIMMER, and Mr. FIELDS of Texas.

H.J. Res. 418: Mr. KLECZKA, Mr. KING, Mr. MCCOLLUM, Mr. NADLER, Mr. HANSEN, Mr. MURPHY, Mr. HASTINGS, Mr. SWIFT, Mr. THOMAS of California, Mr. BEREUTER, Mr. JOHNSON of South Dakota, Mr. BUNNING, Mr. ROSTENKOWSKI, Mr. CRANE, Mr. MCHUGH, Mr. SHUSTER, Mr. BOEHLERT, Mr. MOORHEAD, Mr. UPTON, Mr. BACCHUS of Florida, Mr. CLAY, Mr. EHLERS, Mr. DREIER, Mr. FIELDS of Texas, Mr. MACHTLEY, Mr. YOUNG of Alaska, Mr. CHAPMAN, Mr. KLUG, Mr. FORD of Tennessee, Mr. DICKS, Ms. WATERS, Mr. WATT, Mr. SCOTT, Mr. KENNEDY, Mr. DURBIN, Mr. ABERCROMBIE, Mr. GEPHARDT, Mr. MORAN, and Mr. MATSUI.

H. Con. Res. 35: Mr. VISCLOSKEY, Mr. BEVILL, Mr. HAMILTON, Mr. SHARP, and Mr. CARR.

H. Con. Res. 148: Mr. HUGHES and Mr. BREWSTER.

H. Con. Res. 281: Mr. ZIMMER and Mr. KLEIN.

H. Con. Res. 297: Mr. TAYLOR of North Carolina, Mr. BACHUS of Alabama, Mr.

MCCOLLUM, Mr. INGLIS of South Carolina, Mr. CRANE, Mr. DUNCAN, and Mr. CANADY.

H. Res. 389: Mrs. BENTLEY.

H. Res. 432: Ms. SLAUGHTER.

H. Res. 473: Mr. CHAPMAN, Mr. COOPER, Mr. FILNER, Mr. GUNDERSON, Mr. HUGHES, Mr. MILLER of California, Mr. MOAKLEY, Mr. SERRANO, Ms. SHEPHERD, and Mrs. THURMAN.

H. Res. 525: Mr. DOOLITTLE, Mr. BAKER of California, Mr. POMBO, Mr. HUNTER, Mr. LIVINGSTON, Mr. SENSENBRENNER, Mr. ARMEY, and Mr. WELDON.

H. Res. 541: Mr. PALLONE.

H. Res. 545: Mr. GOSS, Mr. INGLIS of South Carolina, Mr. DELAY, Mr. PACKARD, Mr. ROBERTS, Mr. CANADY, Mr. GOODLATTE, Mr. BAKER of California, and Mr. TAYLOR of Mississippi.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. MCCOLLUM on House Joint Resolution 38: Christopher Shays.

Petition 15 by Mr. BILIRAKIS on House Resolution 382: Major R. Owens.

Petition 18 by Mr. HASTERT on House Resolution 402: Peter G. Torkildsen and James H. (Jimmy) Quillen.

Petition 23 by Mr. TAUZIN on H.R. 3975: Martin Frost.